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THE REPORT OF THE SPECIAL COMMITTEE ON CIVIL SERVICE

FOREWORD BY THE PRESIDENT OF THE NATIONAL MUNICIPAL LEAGUE

The Council of the National Municipal League, after very careful consideration, came to the conclusion at its last meeting that the report of the Civil Service Committee, as reported at the Philadelphia meeting, should be referred to that committee for such revisions as the committee might desire to make, and then published in the REVIEW. There has been so much discussion of this report, that it was deemed advisable to publish in the same issue such articles and comments as would serve to bring out the differences of opinion regarding the civil service. The Council felt that this was the only way they could get an intelligent discussion by the whole membership of the League so that all could have an opportunity to read it and think it over and so come to the annual meeting prepared to take intelligent action. The Council desires the members to understand fully and appreciate that the League and the Council have taken no action on this report—that it is not published as being sanctioned by the League but simply to place the findings before the membership.

The Council desires to take this opportunity to acknowledge its debt to the committee to whose interest and industry the report is due.

HENRY M. WAITE.

LETTER OF TRANSMITTAL

JUNE 28, 1923.

To the Council, National Municipal League:

The report of the Special Committee on Civil Service is herewith submitted to you for publication in accordance with the resolution adopted at your meeting on March 28, 1923.

Respectfully yours,

HENRY S. DENNISON, *Chairman*,
President, Dennison Manufacturing Company.

W. E. MOSHER, *Secretary*,
National Institute of Public Administration.

WM. C. BEYER,
Philadelphia Bureau of Municipal Research.

MORRIS B. LAMBIE,
Municipal Research Bureau of Minnesota.

JOHN STEVEN,
Chief Examiner, New York State Civil Service Commission.

WHITING WILLIAMS,
Labor Investigator and Author.

Note:—Mr. Lambie has requested that the following statement be published in connection with his signature above.

"On account of the distance separating me from the other members of the committee, I have been unable to counsel with them directly and to come to an agreement regarding certain shades of opinion. Although I cannot subscribe to every detail, and would prefer to emphasize other considerations in a report of this character, I do nevertheless believe that it will stimulate interest, and I subscribe to the spirit of the report."

Mr. Charles P. Messick, president of the Assembly of Civil Service Commissions for 1922-1923, and chief examiner and secretary of the New Jersey State Civil Commission, was originally a member of the committee which prepared this report. He withdrew from the committee on February 19 last, because, according to his statement, he is "unable to agree with the subscribing members of the committee that the report is either constructive or fundamentally sound."

CHAPTER I

PRESENT STATUS OF THE MUNICIPAL CIVIL SERVICE

ONE of the most significant results of the war is the general recognition of the part played by the workers in determining standards of production. Their working conditions, their state of body and of mind are all receiving intelligent attention from the employer because of their bearing on output. As a consequence personnel is now assuming the proportions of a major administrative problem. But in our greatest productive enterprise, government,¹ there

¹ Recent estimates of the size of the government's working force, exclusive of teachers, vary between 2,300,000 and 3,000,000 employees. This includes those on the pay-rolls of the federal, state, city, village and county governments. E. C. Marsh, of the National Civil Service Reform League, in a sketch of the Merit System (p. 4), puts the figure at nearly 3,000,000 with a total pay-roll of \$3,000,000,000. The committee on civil service of the Governmental Research Conference in the report entitled: Character and Functioning of the Municipal Civil Service Commissions in the United States (p. 5), makes the estimate of 2,300,000 with a pay-roll of \$2,500,000,000. The New York state civil service commission (annual report for year ending 1921, p. 22) estimates the total number at 2,300,000 and the editor of *Minnesota Municipalities* (February, 1922, p. 3) suggests the figure 3,250,000, including both full and part-time employees.

has been only limited appreciation of this discovery.

It is not that the working standards of the civil employees are not important for the success of government, nor that their compensation constitutes a relatively insignificant charge on the cost of operating our governmental institutions, nor finally that our various units of government in this period of high taxation and reduced earning power have not felt the need of increasing their output of public service per dollar expended. In fact, quite the contrary is the case. In the first place, since government deals primarily in service, its success is more dependent on the quality and spirit of the workers than if it were manufacturing and marketing commodities on a quantity basis. Secondly, there is no single item of expense in the budget of any form of government that is larger than the totals currently charged to the account of "salaries and wages." Thirdly, the slogan, economy and efficiency, has been sounded in none of our private industries any more insistently than in government circles. We thus see that every consideration points to the desirability of improving personnel standards among civil work-

Editorial Statement by Secretary of Committee—The following report takes largely for granted (1) the noteworthy progress made in the reduction of the spoils' evil in the administration of our municipalities and (2) the marked improvements in the methods of customary procedure of civil service commissions. This is due not to an oversight nor to a lack of appreciation of what has been done in the past and what still remains for the future, but rather to our primary purpose of setting up and defining a *further objective*. It is assumed that the gains already made must be consolidated and the lines extended. We believe, however, that the time has come to give thought to the next vantage point and to consider ways and means of reaching it. The report aims, therefore, to stimulate thought and discussion with regard to a new base line without in any way belittling present achievements or provoking an abatement of effort along established lines. It is in the interest of what lies beyond that the report has been prepared.

ers and putting public personnel administration on a sound and scientific basis.

In spite of all this, the inevitable deduction has not been drawn. Progress has been made in the war and post war period by only a limited number of governmental jurisdictions in accordance with the principles of modern employment management. We are fully aware of the revolutionary changes brought about by the extension of the merit system and the consequent improvement in examination technique, of the notable pioneer service performed by government in working out standard salary schedules on the basis of the classification of positions according to duties² and of the steady progress being made in the introduction of sound pension systems. These developments are properly included as essential factors in any modern program of employment management. But since these tendencies were well under way before our entrance into the war, the net result of reconstruction activities in the field of public employment management in the period with which we have to do has been far from significant.

We may go even further and assert that instead of making progress the government retrograded as an employer in the crucial years under consideration, for the general standing of the civil service³ was probably lowered

² Fifteen of 23 cities of 100,000 and more inhabitants investigated recently by a committee of the Governmental Research Conference have classified their employees according to duties. Cf. p. 90 in *Character and Functioning of the Municipal Civil Service Commissions in the United States* (1922) to be referred to later as *Conference Committee Report*.

³ "Civil Service" is used throughout this report in the broad sense to designate *governmental employees*, without reference to civil service control by a civil service commission.

in most jurisdictions as compared with the prewar conditions. This was due, in the first place, to the fact that competing industrial and commercial establishments attracted large numbers of the more promising civil workers by means of higher salaries and greater opportunities for promotion.⁴ This culling process alone naturally led to a gradual lowering of the general average of ability.⁵

⁴ Statistical data on the number of voluntary resignations in the war period are not available, because the civil service commissions give turn-over statistics only in exceptional cases. Hearsay evidence is nearly unanimous, however, and whatever data we have go to support the above assertion.

The annual reports from the St. Paul commission are among the exceptions. The figures showing the "hold-overs" from year to year are specially illuminating. The percentages of hold-overs are as follows: 73 per cent (1916); 63 per cent (1917); 55 per cent (1918); 49 per cent (1919); 45 per cent (1920); 45 per cent (1921). This indicates that about one-half the permanent force has had to be recruited afresh each year during the above four years. In its 1920 report, the Minneapolis commission gives the turn-over record of 124 per cent for the years 1917-1920 inclusive, or at the average rate of 31 per cent per year.

An investigation of the turn-over situation in the Washington service of the federal government is found in the *Monthly Labor Review* (December, 1920). This covers separations for all causes and shows (p. 14) that the percentages swing from 10 per cent in 1915-1916; 16.4 per cent (1916-1917); 36 per cent (1917-1918); 40 per cent (1918-1919). It is also pointed out that the separations occur among all types of workers, but that they are specially high among the scientific-technical groups. To support this conclusion, data are given for six bureaus in which the turn-over for these groups advanced from 12 per cent in 1916 to 69 per cent in 1919 and 52 per cent in 1920. The progressive deterioration of the service is set forth in some detail in the latter part of this article.

⁵ After seven years of administrative work (*i.e.* in 1920) Franklin Roosevelt summarized his impression of the situation in the federal govern-

Secondly, the wholesale dismissals that took place in the name of retrenchment tended to discredit the civil service as a career among the group of young people from which the government should draw recruits for its great army of workers. Reference is made not so much to the reduction of force, which as a result of the expansion during the war is recognized as inevitable, as to the method of dismissal. Unfortunately this was occasionally brought about without due notice, thus causing unnecessary hardship and leading in some cases to widespread publicity.⁶ Such publicity naturally re-enforced the idea that a public position is a political position and one that is necessarily subject to the shifting of political currents.

In part of the above conditions are chargeable to the general reaction and relaxation following upon the war that affected the employment situation throughout the country. However that may be, those in touch with public service know that there was a lowering

ment in his acceptance speech of the Democratic nomination in the following words: "To-day we are faced with the fact that the majority of the most efficient employees leave the service when they are becoming most valuable. The less useful remain."

⁶ Several thousand workers were dropped without notice by the federal government in the navy yards and 600 in the bureau of engraving and printing. The peremptory dismissal of the director of the latter organization together with 28 division chiefs is still fresh in mind. In March, 1921, New York city exercised its removing power on only 24 hours' notice in the case of 36 engineers employed in one department. Within the first month of holding office, the mayor of Cleveland dropped 700 employees, some with and some without warning. These are some of the outstanding cases that have been widely commented upon. It is difficult to estimate the harm that they have done in the way of undermining the attractiveness of the public service as a career.

of the status and attractiveness of the civil service in the period under review. They also know that it was none too high before the war, except in certain outstanding jurisdictions. For even then inequitable salaries, lack of recognition of efficient service, haphazard promotion policies, and autocratic and political control had combined to give civil service the stamp of a second-rate industry.⁷

If we leave out of account that limited group of commissions which has been steadily forging ahead toward the development of a well-balanced employment policy, we may safely state that the large majority of civil service commissions are pursuing traditional methods quite along traditional lines and should add moreover, that they are laboring under handicaps as to appropriations and staff that practically block the possibility of progress in administration.

But the more thoughtful public executives and observers of modern trends in government know that the necessary and accepted functions of government now make it an industry of the first rank. Although an industry engaged in producing service rather than commodities, they appreciate that it must ultimately take its place among the major industries of the country. This applies both to its status and its methods, and it should of course apply to its personnel. Under the caption "economy and efficiency," or more recently under that of "retrenchment," such men have reviewed or are review-

⁷ In the article on Separations from the Government Service (*Monthly Labor Review*, December, 1920, p. 23) reference is made to the replies of 40 college and university officials who were asked concerning the prospect of their graduates entering government service. The writers were all but unanimous in stating that their graduates were not looking toward the government service as a career.

ing the processes of government. Recognizing that government has permanently taken on many vital functions of a social and economic nature, they are not so interested in retrenchment interpreted as curtailment as in the retrenchment that may be translated "wiser spending." But generally speaking, they have up to the present time applied this formula only to a limited extent to personnel administration.

This inconsistency is to be explained by the fact that there is probably no phase of public administration where the program of retrenchment will be more difficult to carry out than in the field of personnel. Tradition, personal and political influences, and the immunity supposedly enjoyed under "civil service," all tend to conserve the status quo. But sooner or later fundamental retrenchment must be brought to bear here too. The taxpayers' money that goes out in the form of pay checks must be spent more wisely. Low standards and high costs cannot be tolerated indefinitely in a phase of the business of government that annually absorbs from 33 to 66 per cent of the total public expenditure.⁸ The improvement of civil service standards is to-day a grave problem, national in scope and significance.

⁸ The percentage of the total municipal budget devoted in 1921 to the pay-roll of classified and unclassified employees was for the cities listed as follows:

Philadelphia.....	50 per cent
Buffalo.....	37 " "
Milwaukee.....	55 " "
Seattle.....	50 " "
Trenton.....	43 " "
Portland.....	45 " "
Dayton.....	63 " "
Newark.....	55 " "
Jersey City.....	39 " "
Paterson.....	43 " "

(Data supplied by the civil service commissions)

STATUS OF MUNICIPAL CIVIL SERVICE

The series of available reports of investigations of the civil service made in recent years in various governmental units are hardly less than an indictment of the government as employer.⁹ A surprising amount of evidence is here brought together of inequitable salaries, hit or miss employment conditions and the consequent low status of the civil service. It is obvious to the readers of these reports that the vital problems of employment have not received the attention they deserve.

Analysis shows either: (1) that where there is not a civil service commission no definite agency is concerned with employment matters, or (2) that where civil service commissions exist they do not exercise adequate supervision and control over personnel matters. In the latter case the distribution of authority among the legislative body with its salary determining powers, the executive¹⁰ with the appointing power, the administrative staff and the civil service commission, greatly complicates uniform and just administration of personnel policy. The situation is aggravated in the latter case by the fact that only an inconsiderable minor-

⁹ Report of the Proposed Classification of the City of Rochester, 1920, pp. IV and V; Outline of Report of Civil Service by Detroit Bureau of Governmental Research; Administrative Survey of the Government of the City of New Orleans, 1922, pp. 42-53; Civil Service in California (and San Francisco), Transactions of the Commonwealth of California, 1921, pp. 311-318; Report of the Senate Committee on Civil Service of New York State, 1916 (pp. XIII-XXVI); Report of the New Jersey State Civil Service Investigating Committee, 1917 (pp. 11-45); Report of the Congressional Joint Commission on Reclassification of Salaries, Washington, 1920 (Chs. II, IV and V).

¹⁰ This term applies to mayor, commission, or city manager according to the type of government.

ity of the civil service commissions are properly constituted and equipped to perform the functions assigned to them by law.

It is our purpose in this report to direct attention only to the situation where a civil service commission is operating. This may be considered the more typical state of affairs since the great bulk of our citizens dwelling in the larger cities are living under a local government in which the civil service commission is serving in the capacity of an employment agency. As a matter of fact, 90 per cent of the total urban population in cities of 100,000 and more are found in cities,¹¹ with such an agency.

According to the above analysis, it appeared that in the cities with a commission there is a distribution of responsibility for personnel between the legislative, executive and administrative branches and the civil service commission. As such a distribution is perhaps the chief cause of the present status of the civil service and as it is also more or less inherent both in our structure of government and in the nature of organization itself, it will be worth while to examine the problem of division of authority with some care, to see if the civil service commission has its full and appropriate share.

¹¹ There are 68 cities with a population of 100,000 and more. Of these 54 have a civil service commission. These latter cities have a population of 24,868,283, whereas the aggregate population of the whole group (i.e. 68) numbers only slightly over 27,000,000. This is just about one-half of the total urban population of the United States which is 54,304,603. All of the 25 cities with a population of 250,000 or more, excepting Indianapolis, have a civil service commission. Finally, the total number of cities of 5,000 and more is 1,467 and their total aggregate population is 49,710,650. Of that number 330, with a total population of 32,268,398 (64 per cent of the aggregate), are operating the local government with some sort of civil service control.

Like so many other of our institutions and policies of state, the civil service commission owes its origin to the abiding faith of our countrymen in the saving power of checks and balances. Some forty years ago, after a half century of the spoils system, the first civil service commission was installed by the federal government as a check on the appointing officials and the possible machinations of the legislators. It was charged with the task of separating public positions from the game of politics. The commission was, therefore, the public's answer to the legislative, the executive and the administrative officers who, as a matter of tradition and self-interest, were playing the political game with their official prerogatives. The commission was born of necessity. In response to an extensive and costly abuse, it was given a large measure of control over the entrance of the majority of employees into the public service. Moreover, it has usually had some supervision over promotion, transfer and removal as well. In this way the division of authority arose. As a result administrative officials are compelled to share responsibility for certain of the most vital aspects of selection and control of their own employees with an agency that is partially isolated and all too often inadequately informed concerning the work and working conditions of the employees.

The fact that the civil service commission was called into being to hamper administrative officials as well as legislators in the pursuit of their political devices very largely explains the lack of cordial and fruitful co-operation existing between the commission and the administrative and legislative branches of government. It requires no argument to show, however, how essential such co-operation is in the vital matter of personnel control.

The underlying conflict of purpose has gone far toward determining the character of the civil service commission and imposing serious limitations on it. As a consequence it has become a more or less common practice on the part of administrative authorities to attempt to limit the commission's effective functioning, (1) by the control of personnel of the commission itself through the exercise of the appointing power usually vested in the mayor or other chief executive,¹² (2) by the control of the activities of the commission through limiting its appropriations, a power usually exercised by the city council or commission.

An analysis of the character of the personnel of the civil service commission goes to show that appointments are customarily made with primary reference to political and personal acceptability and without particular reference to their experience as employers or acquaintance with employment administration.¹³

The average fitness of the typical commission is further reduced by the constant turn-over in the membership

of the commission caused by the shifting of political currents. Our data indicate the average length of official life of a civil service commissioner in twenty cities for the past decade to be less than four years.¹⁴ That is to say, that with the conclusion of what might be called the apprenticeship period, the average commissioner makes way for a successor.

We have, therefore, the unique and anomalous situation of an agency which was called into being to promote merit and eliminate politics from the civil service, but which is itself appointed on a partisanship basis¹⁵ and without special reference to fitness for the task in hand and finally subject to change every three to four years. This condition would not be so serious if the commission had an adequate and technically qualified staff. That it has not is to be explained by the fixed policy of the appropriating body which naturally looks askance at the regulatory activities of the commission. It is easily explainable, therefore, that in the matter of finances, the city council has treated the commission so much like the step-child of the administration. Accordingly, it not infrequently happens that the appropriations to the civil service commission are so meager that a very considerable portion of the total appropriation is absorbed by the salaries of the three commissioners.

The annual report of one state commission, controlling over 1,200 classified positions, showed, for example, that of a total appropriation of \$12,500,

¹² According to the Conference Committee Report (pp. 18 ff.) the mayor appoints the members of the commission in 17 of 24 cities; in 3 others the city commission makes the appointment.

¹³ According to the returns from the questionnaire, 14 correspondents from as many cities gave opinions as to the factors entering into the appointment of the present incumbents. It was indicated that in only four cases political considerations did not weigh. This factor was rated at 20-33 per cent in 3 replies, at 60-100 per cent in 7 others.

By a liberal interpretation of the replies as to the experience of the present incumbents of the civil service commissionerships, 21 of 63 have had direct contact with employment matters on a fair scale. Of the others 12 are attorneys, two are bankers, and the callings of the remainder point to the likelihood of their having had no experience in this direction.

¹⁴ The returns show that in 6 of the 20 cities the average is less than 3 years, and in 7 others less than 4 years. (Cf. Conference Committee Report, p. 29.)

¹⁵ The standard requirement is that "not more than two commissioners (of a total of three) shall be adherents of the same party." This means a bipartisan rather than a non-partisan body. (Cf. Conference Committee Report, p. 17.)

\$7,500 was devoted to the salary account of the three commissioners. Reasonably enough, this commission deplores the fact that it had insufficient funds to employ a qualified examiner on full time. With a staff consisting of a secretary and a stenographer, it was bound to perform its duties in a most perfunctory and inadequate fashion. In a large city \$15,928 was appropriated in 1921 for the municipal commission. Of this amount, \$6,000 went to the commissioners and most of the remainder to a force of one examiner, two clerks and one stenographer. This city employs upwards of 6,000 employees in the classified service. It is not strange that the commission is reported to be far behind in its work, having had no examinations for some positions for several years, although the eligible lists for these positions have long since been exhausted.

Under-staffing, the primary result of financial under-nourishment, explains many of the shortcomings of our civil service commissions. In the first place, it makes it difficult to maintain close contact with departments, individual positions and employees. Such contact is obviously of essential importance for any personnel agency.¹⁶ Outward evidences of indirect contact are set forms and methods of procedure. Lack of contact is also the chief cause of the retention of old style examinations. Without first-hand observation of the work, it is obviously impossible to formulate other than blanket examinations of the old-fashioned type.

Without more funds, furthermore,

¹⁶ The San Diego commission points out the need of a personnel investigator to follow up the work of probationers and standardize efficiency ratings (7th annual report, p. 11). The Seattle commission urges the same matter on the attention of the council, but only with reference to necessary improvements in the efficiency rating system (1920 report, p. 6).

the majority of our commissions cannot work out and standardize tests in line with recent developments in the technique of selection, to say nothing of establishing efficiency rating standards and modern methods of promotion and of administering other employment functions prescribed in the law.

The shortcomings of the commission are a sufficient explanation of the attitude of toleration adopted by many of the best-intentioned administrators who would gladly co-operate to the fullest possible extent with an agency that was adequately performing the functions of a personnel division. But as long as the commission is so ill-equipped to come through as a constructive and promotive factor in the personnel situation, these administrators are bound to content themselves with merely observing the letter of the law. This practice is to be deplored since cordial and intimate co-operation between the management and the personnel agency is the very essence of good personnel administration.

There is, however, another not inconsiderable group of administrators, who take a less benevolent attitude toward the commission and its works. They consider the commission as a necessary evil and one to be evaded whenever opportunity offers. This has led to many costly sins both of commission and omission on the part of the administrative staff. Consider various phases of the employment policy where close co-operation between commission and staff officials is necessary, and it will be found that in many quarters there is failure to co-operate even in these phases.

One of the most common evasions is the abuse of provisional appointments.

1. The commission reports of New York (1920), Philadelphia (1920), Buffalo (1921), Los Angeles (1921), Milwaukee (1921) and St. Paul (1921)

were analyzed in order to discover how extensive use is made of this type of appointment. It was found that the provisional appointments ranged from 18 per cent to 72 per cent of the total number of appointments made to the classified service in the cities named. In three of the cities the percentage was 40 and over.¹⁷

According to a special report of the Civic League, the situation in Cleveland must be acute in this respect. The pay-rolls of February, 1922, showed,¹⁸ for instance, that only some 700 of the employees in the classified service were appointed as a result of a competitive examination while 2,100 or 75 per cent of the total number were "temporary appointees."

It must, of course, be conceded that appointments of this sort are oftentimes necessary in view of unforeseen vacancies, but it is difficult to explain how the percentage of the total number of appointments during a given year could rise as high as is indicated in the above figures. This condition is one that is most generally deplored by staff members of civil service commissions, as they recognize it to be one of the best indices to the thoroughness, or lack of it, with which the civil service law is administered.

2. An illustration of a sin of omission may be found in the fact that the probationary period serves so little purpose, although it was conceived as an integral part of the process of selection. As is well known, only an insignificant number of probationers is dropped during or at the end of this period.¹⁹

¹⁷ Cf. also statement on provisional appointments in Conference Committee Report, pages 25 following.

¹⁸ The uniformed police and fire services are omitted in this summary.

¹⁹ Reports from eight cities of 100,000 and more population concerning the number of probationers dropped in 1921 show that a total of

Considering that it is "up to the commission" to select employees, supervisory officials are accustomed to accept the civil service lists of eligibles as final. The commission itself has no means of following up new employees for the reasons stated above. Therefore, the period of probation, which should be a vital part of the process of selection, is ordinarily not utilized. It falls between two stools, as it were.

3. In view of the importance of a transfer and promotion policy for the purpose both of reducing the number of misfits and of giving the much desired opportunity for growth, it may be counted an important sin of omission that the administrative officials and the civil service commission, either separately or together, fail in such large measure to bring about promotions and transfers between different organization units.

4. The retention of inefficient workers on the ground that they are "civil service" is another illustration of the unfortunate lack of co-operation.²⁰

5. The practical break-down of many experiments in rating the efficiency of the employees is also to be charged in part to the inability of the civil service commission and the staff officials to co-operate with any degree of success.

All of the foregoing illustrations point to costly wastes that are directly traceable to a lack of fruitful co-opera-

190 were dismissed. Of this number 179 were reported from three cities. Three cities dropped none at all. The cities reporting were Philadelphia, Detroit, Milwaukee, St. Paul, Seattle, Dayton, Yonkers. (Cf. pp. 83, 89 in Conference Committee Report.)

²⁰ As a matter of fact, there is no possible basis for this argument in many of our municipal jurisdictions. In 9 of the 24 cities investigated by the Research Conference Committee, the disciplined employee has no recourse to the civil service commission (p. 79). This applies to all of the cities in New York state.

tion between agencies that, in the very nature of their functions, must combine forces and work toward a common goal.

Whether this absence of co-operation is due to the practices of the appointing and appropriating authorities outlined above or to the attitude of the administrative officials, the civil service commission has been effectively crippled in a large number of jurisdictions. But it is doubtful whether it has been made innocuous.

In fact, even if the civil service commissioners did nothing more than stand at the entrance of the building determining who might and who might not enter, it is doubtful whether the commission could be made innocuous. Their success or failure will ultimately determine the character of the working standards within the building, for it will not be denied that the men and women who actually do the work do more in the long run to determine its quality and quantity than either administrator or general policy. This is the more true when the administrators come into our various departments of government as novices, and when so many of them hardly finish serving their novitiate before they give way to their successors.

Even though other employment functions that have normally been ascribed to the commission by law are not being performed or only in an inadequate way, it is all too common practice, as was shown above, for administrative officials to wash their hands of these matters.

The civil service commission has so much administrative power which it and it alone can exercise that it is quite out of the question to render it innocuous. If it does not positively help, as it may not, it positively hampers. Not a few executives and administrators have confirmed this in the saying: "If it were not for the 'civil service,' I

could accomplish something." Many a civil service commission may be incompetent, it may be unprogressive, and it may here and there be the chief repository of governmental "red tape," but it holds too vital a position among the other agencies of government to be either eliminated or ignored.

After some forty years of experimentation with the civil service commission, the time has clearly come for laying more and more emphasis on positive functions. We have an abundance of illustrations of the futility of applying the theory of checks and balances to the task of carrying on the daily routine business of government. In the judgment of the committee the civil service commission should be transferred from the sentry box at the entrance gate of the building to an office adjacent to the executive and chief administrator. Studiously devoting itself from this vantage point to employment problems and intimately acquainted both with employees and positions, the progressive commission would become, as it already has in some instances, the natural source of worthwhile information and constructive service.

It would not be long before alert administrative officials who are not a whit less interested in recognizing and rewarding merit than the civil service commission, would turn to it as a matter of course for advice and constructive suggestion concerning the whole range of employment control. Distribution of authority would thus give way to co-ordination of agencies interested in employment. The keynote of employment administration would become co-operation, just as it is in those private and public undertakings that have been blazing a new trail in this important field.

But the commission should also be accessible to and have easy access to

the legislative branch of government. Particularly in the matter of wage determinations, the appropriating body should find the commission to be a clearing house for information as to salary rates, the going wage for different types of work, and important changes to be considered in setting up the scale for the ensuing year. The recommendations of the commission on salary matters would necessarily carry weight since the commissioners are continuously gauging the conditions in the employment market and thus gathering information that would be indispensable to the salary-fixing body.²¹ Finally, its classification of positions, the necessary basis both of selection and placement policy and salary scale would naturally serve the purposes of the appropriating body in its wage decisions.

It is not to be assumed from the above diagnosis that the civil service commission is universally a failure and that co-operation with administrative officials is an unheard of thing. There are some commissions in this country performing excellent service and working in close sympathy with staff officials. In New Jersey, Wisconsin and Los Angeles county, for instance, there has usually been close and harmonious co-operation between the administrative officials and the officers of the commission. It has been said that spoils are practically eliminated as

²¹ As is pointed out elsewhere, many commissions are specifically instructed to make recommendations as to salaries to the appropriating body. The New Jersey and Los Angeles County commissions even go so far as to prepare the salary lists that are enacted into law by the legislative bodies. That more commissions are not consulted in this matter is due in part at least to the lack of confidence placed in them by the legislative branch. This lack of confidence is to be understood in light of the conditions already described. It is by no means inherent in the character or purpose of the commission itself.

a consideration in the appointments made to most offices in these jurisdictions. The New York and Massachusetts commissions have substantial achievements to their credit. The first annual report of the state employment commissioner in Maryland gives promise of significant developments in this state also. Among the cities, New York, St. Paul, Milwaukee, Minneapolis, Baltimore and Los Angeles, as well as the cities in New Jersey where the state commissioner acts as the personal agency, are worthy of mention for contributions in one or more directions.

Abroad, particularly in the English speaking countries, the civil service commission as a selecting agency of government is no longer on trial. There is ample authority to indicate that no one is thinking of going back to the patronage system of the early nineteenth century.

Moreover, in spite of the judgment of not a few qualified observers in this country that "the civil service is not making good," the great public continues to have confidence in the efficacy of the civil service commission. Whenever the question of adopting civil service control has been brought to a popular vote the ayes have outnumbered the nays by unmistakable majorities.²² This fact alone is a sufficient

²² The following data as to popular votes for and against a civil service provision and amendment are brought together by *Good Government* (June, 1920):

	Majority		
	For	Against	For
Illinois	411,676	121,132	290,544
Colorado	75,301	41,287	34,914
Ohio	306,767	204,580	102,187
New Jersey	162,013	93,281	68,752

A vote on the local adoption of the state law in 6 counties, 7 cities and Newark school district.

Reference should also be made to the remarkable vote cast in November, 1921, in New York state on veteran preference in the civil service. Of a

basis for the recent statement that a political party which would be bold enough to adopt a plank urging the abolition of the civil service commission would eventually go down to defeat on this issue alone. On the other hand, one has but to run through the representative party platforms of recent years in order to find planks favoring the "civil service" and often one approving the extension of the "merit system" to the higher positions.

RECAPITULATION

In summarizing the above arguments, we may conclude that government in this country has a most serious personnel problem with which it is not generally coping in an effective manner. It is true, it has established a personnel agency in the civil service commission and endowed it with broad legal powers. The initial purpose of the commission, however, was not so much to administer an employment policy in a constructive way, as to curb the use of public office as spoils. This negative purpose has to a large extent determined the character and activities of most commissions. It has tended to make many of them an outside agency. It has brought about a distribution of authority with the administrative heads, whereas the closest and most cordial co-operation is demanded. This situation explains the effort usually made to render the civil service commission as harmless as possible: first, by the appointment of men of a semi-political character, with little or no background for handling personnel problems; second, by not providing sufficient funds to make efficient performance of its

duties possible. Taking it all in all, the majority of the civil service commissions perform their functions to-day largely by sufferance and find themselves in a state of more or less isolation.

The growing demand for better government and "wiser spending"—our definition of retrenchment—forces a reconsideration of the employment problem because no other phase of administration is so costly or so fundamental to good administration as the character and attitude of the personnel. Since the civil service commission is the only and the generally recognized personnel agency of government, any attempt at solving the employment problem must deal primarily with the commission. As we have shown, the commission may be isolated but it may not be made harmless; it cannot be eliminated; the only way out seems to be, therefore, to make it effective.

To do this virtually requires recasting the prevailing conception of the purpose of the civil service commission. Instead of emphasizing the negative and regulatory functions to the exclusion of others, as has customarily been done by executives, legislators and often by the civil service commissioners themselves, the time has now come, in the judgment of the committee, when these functions should be subordinated to positive and constructive ones.

So long as personnel management was an uncharted sea, it was perhaps only natural that most civil service commissions should restrict their activities, as they have, to correcting the most costly abuse of our political life, *i.e.*, keeping the undesirables out. But with the more and more systematic development of this function of management in private industry and in certain civil service circles here and abroad, one is encouraged to consider the rehabilitation of the commission as feasible and to attempt to adapt to its

total vote of 1,790,115 the largest vote on record in the state upon a constitutional amendment—1,090,418 opposed undermining the merit system for the purpose of rewarding the soldiers and sailors. (Cf. Annual Report of the New York state civil service commission for the year 1921.)

use those methods and policies that have been tried and proved by the experience of large employers. The unabating demand for reduced taxes and the size of the public pay-roll makes such an attempt imperative.

Before offering suggestions as to a possible program, the committee will review briefly the progress that has been made in the development of personnel administration in the allied field of private industry.

CHAPTER II

EMPLOYMENT MANAGEMENT IN PUBLIC AND PRIVATE ENTERPRISE

By way of introduction it should be stated that it is not the purpose of this section to draw comparisons between employment practices encountered in public and private enterprise, nor to estimate the relative value of the contributions made from one side or the other. It is rather our intention to indicate in what ways the government as employer may profit from the advances that have been made in this field by the private employers. Fair minded observers will grant that employment management has been more extensively experimented with and more systematically stated in private than in public circles. It is on the basis of these experiments and statements that government may wisely profit.

The occasional appointment of men in charge of personnel to the rank of vice-president or a comparable position in large companies is the outward sign of an important development in functionalized management.²³ It is the recognition of the fact that the personnel policy is to have an equal hearing with production, sales and financial policies and that the employment department is to become a full-fledged

major department. The functions of the new division of management ranging from hiring to firing and retirement are too well known to call for lengthy treatment at this point. Suffice it to say that standard procedure has been worked out for the various aspects of personnel work so that employment administration has its proper place in the science of business administration. This involves a consideration of methods of controlling and supervising all these influences that affect the character of the working force, whether they are physical, mental or economic. For the physician and the psychologist, as well as the efficiency engineer and the economist, have been requisitioned by progressive employers in their effort to keep their employees "fit." Generally speaking, the latter are ready to justify this effort in the name of increased output.²⁴

²³ Cf. the American Telephone and Telegraph Company and the Metropolitan Life Insurance Company.

²⁴ The following concerns may be cited as pioneers in the development of a comprehensive employment policy: Joseph and Feiss Company (Cleveland, Ohio); R. H. Macy and Company (New York City); Equitable Life Insurance Company (New York City); Art-in-Buttons Company (Rochester, N. Y.); Deering, Milliken and Company (New York City); Cincinnati Milling Machine Co. (Cincinnati, Ohio); American Rolling Mill Co. (Middletown, Ohio); Plimpton Press (Norwood, Mass.); Jeffries' Manufacturing Co. (Columbus, Ohio). For the

In the main these very considerations which are moving some private employers to install a systematic employment policy are no less weighty for the public employer. It may be granted in advance that there are differences as well as similarities between the conditions in public and private employment, but the committee is of the opinion that both the differences and the similarities emphasize the need of centralizing employment control and supervision in some such way as is found in some of our leading private concerns and is being discussed in well organized courses in schools of business administration.

THE DIFFERENCES

1. By way of introduction reference should be made to the policy of checks and balances that is wrought into the very fabric of our government. It has no parallel in the organization of a large corporation. As is well known the legislative body representing the public takes a much more active part in the affairs of government than the typical board of directors in the business of its concern. The former is very jealous of its prerogatives and feels itself to be the protector of the public in a very real way. This opens up an area of differences of opinion that is often the cause of unnecessary friction and lost motion. There is also a further diffusion of authority where the executive and a number of important administrative heads are elected. But in municipal government the growing tendency is to lessen the scope and influence of the system of checks

and balances. The short ballot is an outward sign of this tendency. The popularity of the commission, the city manager and the simplified federal forms of government also indicate the development of a more effective type of local government.

As we have pointed out the civil service commission was conceived to check the legislature and executive in their abuse of power. But as we indicated at the end of the preceding section, the committee believes that the conception of the civil service commission as a checking agency should give way to more modern conceptions in keeping with the recent tendencies of government just cited.

It seemed proper to refer at the outset to this decentralization of responsibility which differentiates public from private enterprise because its influence will crop out at various points, and in some quarters it will be the basic cause of opposition to all plans looking toward a realignment of the agencies under discussion.

2. A further outstanding difference is the absence in government of the incentives that spring from the profit motive. This motive is at the bottom not only of the merciless competition, but also of the hope of brilliant success that pervades our business life. Both are potent forces in the business world that have no equivalent in public life. They bring ceaseless pressure to bear from one's superiors and from within the worker himself, and call forth a whole range of incentives that are only partially operative in the civil service. The development of substitute incentives, therefore, is a pressing need and ought to be recognized as one of the chief tasks confronting the public employment agency. The fact is that, generally speaking, the efforts to discover such incentives and make them effective have been up to the present

statement of a well-rounded "philosophy" of employment management, refer to Tead and Metcalf, *Personnel Administration* (McGraw, Hill and Company). Rountree's *Human Factor in Industry* (Longmans Green and Company) presents a convincing picture of applied employment management.

time almost negligible.²⁵ Public recognition, pride in work well done and the satisfaction that may come from public service itself are motives that are capitalized all too rarely in governmental employment.²⁶ But no one who knows foreign countries will deny that these may become incentives with real driving power and in many cases even superior to the incentive of self-enrichment and power in the realm of business.

3. On the other hand, influences of a political and personal character are more pervasive in public than in private employment. Unquestionably, they have a much wider range for action and are much more potent because of the absence of an accepted employment policy. Adverse influences of this sort are, therefore, a further argument for the adoption of a well-balanced personnel policy. Sound and above-board methods of selection, efficiency ratings, salary increments, promotions and dismissal will surely diminish the subsurface influence of politics and personal "pull." If these are supplemented by machinery for the airing of grievances and by some scheme of representation through which opinions and objections may be regis-

²⁵ "To be helpful, therefore, comparison between commercial and official methods must concern itself with the reward bestowed upon intelligence and the incentive afforded it to realize its highest potentialities. In this comparison, and in the lesson which it teaches, lies the whole secret of civil service reform." Stephen Demetriadi: *A Reform for the Civil Service*, p. 22 (Cassell and Company).

²⁶ Haldane: "It is quite true, he (the civil servant) has not got what is the great impulse in the business world, namely, the desire to make a fortune for himself, but he has another motive which in my experience is equally potent with the best class of men, namely, the desire to distinguish himself in the service of the state. (*The Problem of Nationalization*, p. 17, Demster House Papers, No. 2.)

tered, real progress will be made against the injustice that is generally felt to be, and that all too often is, inherent in public employment.

4. A fourth difference of major importance that is peculiar to the administration of government is the ceaseless flow of administrative officials whose period of activity is comparatively limited. This makes difficult continuity of policy which is obviously essential if justice is to prevail, but it may also make easy stagnation of policy in spite of changed conditions. Furthermore, since many such officials qualify according to political rather than administrative standards, the danger of arbitrary and uncalled-for changes in established policy and practice is increased. This again emphasizes the desirability of centralized employment control that will be firmly based on the consistent recognition and stimulation of merit.

5. A final important difference is that the public administrator may be much more independent in the conduct of his office than comparable officials in a large private company. The former may have a salary schedule that he has inherited or perhaps set up independently for his own staff. Or he may have his own policy of sick and annual leave, and even in the matter of working hours he may adopt a different schedule than obtains in the neighboring bureau. This lack of co-ordination leads to almost unbelievable inconsistencies and discrepancies within the same bureau and particularly as between different bureaus or departments. It is a most fruitful cause of dissatisfaction among the workers in any given jurisdiction, for it is clear that the employees do not draw departmental lines in making comparisons of such fundamental matters of employment. To them the city or state is the common employer. Justice demands

that as such it shall adopt a uniform policy, irrespective of departmental or bureau lines. Uniformity in policy evidently calls for the establishment of a central agency.

Another result of autonomous independence on the part of the administrators is that transfers and promotions from one unit to another are rare. In many individual cases this would be to the advantage of the whole government, on the one hand, and would greatly increase, on the other, the total number of opportunities for growth for the whole body of employees. By failing to administer employment under a common head, the government condemns many employees to a limited career and not a few to blind-alley jobs.

Departmental autonomy bears the brunt of the blame also for the practical breakdown of the efficiency rating system in the civil service. Dissimilar standards in neighboring departments and perfunctory handling of the ratings in others are a sufficient cause for the prevailing deprecatory attitude toward efficiency records.²⁷

The above are some of the outstanding results caused by the practice of permitting the individual departments

so large a measure of independence. Their remedy is evidently centralization in an agency capable of guiding and stimulating various members of the administrative staff to co-operate in the interest of fair dealing and higher personnel standards.

THE SIMILARITIES

Turning from the differences between public and private employment, let us consider the similarities. In so far as the conditions that impelled private employers to establish an employment department are found in the public field, we may assume that they would naturally move the government to adopt a similar remedy.

1. In the first place, the organization of a special personnel department in industry was due to the size of the working force, necessarily large because of the modern methods involved in large scale production. As is well known, a large and unwieldy body of workers is also found on the pay-rolls of all of our large cities. The data in the Conference Report²⁸ for the cities in excess of 100,000 population show, for instance, that only two of the municipalities from which total figures of classified employees were received have less than 1,000 names on the pay-roll. Exclusive of New York with 56,711 and Philadelphia with 15,712 workers, the average number of employees for seven municipalities is 3,580.

Large scale production, whether private or public, has also brought about a segregation of the responsible, policy-determining officials and the rank and file of the workers. Segregation has inevitably involved increasing inaccessibility and consequent lack of understanding and sympathy. In place of personal supervision and control,

²⁷ "I see no future for efficiency records. The command of the law to enforce efficiency records was at first followed with enthusiasm, but nowhere did it work well. The fact is that the law in this particular is not obeyed. I have gone afield and studied efficiency records in Chicago, New York and Washington. Nowhere are they a success." Chas. W. Reed, framer of the law and for eight years a member of the California civil service commission (Transactions of the Commonwealth Club of California, December, 1921, p. 323). This is a fairly typical opinion among those who belong to the well-wishers of civil service. There is, of course, a number of able commissioners and examiners who are more hopeful and a smaller number who are operating a rating scheme successfully. In general, however, the attitude is one of disillusionment.

²⁸ Cf. Conference Committee Report, pp. 86, 87.

fixed routine, standardized rules and more or less arbitrary supervisors and foremen have been substituted. It is not strange that this change frequently led to injustice and discontent. To mitigate these evils, the employment department was conceived. Its aim is to inject a personal element in the relationship between employers and workers and to see to it that none of the important employment functions shall be neglected or go by the board. This is quite in line with the modern trend in management to organize along functional lines.

The employment department becomes thus the human relations department. It vitalizes and humanizes the necessary machinery of control and brings the ultimate employer and the rank and file worker in touch with one another. In order to maintain the flow of personal contacts so necessary for fruitful co-operation, it both keeps the channel open to all who have a grievance, but it also stimulates expression and suggestion by the organization of plant committees and other representative agencies.

2. Mass organization also brings in its trail the necessity of depending on subordinates for the execution of employment policy. Even though the chief administrator may be interested in putting an enlightened personnel policy into effect, his plans may easily be frustrated by lack of co-operation on the part of his subordinates. In industry one hears much of "foremanizing" and training of executives. These are tasks that properly belong to the personnel division. It serves as the medium of the chief executive who cannot make and cannot personally control those contacts that, taken together, determine the policy of his company.

In civil service the same problem appears, and perhaps by comparison in an aggravated form. Changes in per-

sonnel policy are often stubbornly withstood by the permanent supervisory force. There is all too often something of that respect for and insistence on authority among civil workers that smacks of the military régime. This makes the supervisory force peculiarly jealous of its traditional and frequently petty prerogatives. Then too there is a deep-seated loyalty to governmental routine that naturally resists all change. These conditions are cited because they give added emphasis to the need of "foremanizing" and training executives in the way that has been found so profitable in some large private organizations. It is of no less importance that some responsible agency should supplement the efforts of the members of the administrative staff in interpreting the policy of those in ultimate control.

3. The extent and complexity of modern organization makes possible neglect and oversight in all sorts of directions. This applies particularly to the work environment. Lighting, ventilation and heat, safety, cleanliness and sanitary conditions cannot wisely be committed to the janitor and his assistants, much less be expected to take care of themselves. To maintain proper standards and make changes in line with modern improvements requires constant vigilance. It has been found practicable in many concerns to vest general supervision and possibly detailed control of these matters in the employment department.

The public as employer is far from immune in these respects. Our experience with employment conditions in government goes to prove that there is hardly a municipality in which good, reasonable standards are not being violated in at least one department or building under public control. An investigator who completed a survey of some of the buildings in Washington

two or three years ago went so far in fact as to state that a first-class factory inspector would not tolerate for one minute the conditions under which large numbers of the federal employees were working. Inquiry usually goes to show such a situation is due to the fact that nobody is specifically charged with the duty of periodically checking up working conditions and at the same time authorized to set the necessary wheels in motion so that desirable repairs and improvements may be promptly made.

SOLUTION: A CENTRAL AGENCY

The foregoing comparisons have pointed to the need of a central personnel agency as the natural and logical outcome of an analysis of employment problems. In industry this is the accepted solution. In spite of the belief in certain quarters that some action must be taken to remedy employment conditions in the public service, there have been objections to concentrating personnel functions under the authority of the civil service commission. It may be profitable, therefore, to consider the feasibility and desirability of the proposal that the civil service commission should restrict its activities to the work of recruitment and selection,²⁹ while another special body should be charged with the other personnel functions.

The committee takes exception to this proposal on the following grounds: That such a distribution is not in keeping with the civil service laws, nor with the principles of good organization, nor, what is more, with accepted practice in certain civil service jurisdictions.

²⁹ This proposal has been recently argued with a great deal of care and cogency by Lewis Mayers in *The Federal Service*, 529 ff. Although referring to the federal service, many of the arguments cited have been advanced with reference to the municipal service.

1. An analysis of the typical civil service law shows that the commission was conceived to all intents and purposes by the framers of the law as a public personnel agency. The returns listed in Appendices II and III of the Conference Committee Report indicate, for example, that in addition to examination, certification and the keeping of personal records, the commissions of 22 of the 23 cities considered have the power to classify positions according to duties; 11 may recommend changes in rates of pay; 20 may check the pay-rolls; 7 have some responsibility for efficiency ratings; 19 give promotion examinations; 15 serve as a trial board in case of dismissal. Taken altogether, this constitutes a fairly comprehensive employment policy, and warrants the assertion that the central employment department was conceived in the public service decades before it was adopted to any noticeable extent in private industry. It is for this reason that Morris L. Cooke³⁰ and Henry M. Waite,³¹ two engineers of recognized achievement both in public and private fields, can look to the civil service commission to accomplish what is being attempted in employment matters in industry.

2. Modern principles of organization call for distribution of activities according to function. Examination, selection, placement, probation, transfer, classification, etc., are all so closely interrelated that it seems quite impossible to break the series at one point or another. Let us take an illustration. Since the examining agency must be

³⁰ "Thus we assumed that our civil service laws were only a codification of the best practices of private business." *Our Cities Awake*, p. 162.

³¹ "Civil service, properly regulated, fairly enforced, can accomplish many of the things in public work that industry is now attempting." *Civil Service in the City Manager Plan*, *National Municipal Review*, Vol. X, 408.

so well acquainted with the positions for examination and placement purposes that it could readily classify them, why should another agency be called in to group them in classes? It is very conceivable that a sub-division of the central personnel agency would be responsible for examinations and certification, but the members of this subdivision should pool their information about positions for the whole range of functions and draw from the common pool as circumstances dictated.³²

In case the civil service commission is to be made merely a recruiting office, it would be in the interest of sound management to eliminate it altogether and assign this function to the agency responsible for the other personnel activities. If the spoils-curling aspect of employment is made subordinate and incidental, as with a good examination system it should be, there is no reason why selection should be separated from the other essential and interrelated functions.

3. The feasibility of combining all personnel activities under one administrative office is fully demonstrated to-day in the British dominions.³³ But in this country too the practice or the program of certain commissions look toward just this goal. Training, uniform efficiency ratings and appeals have received special attention.³⁴

Furthermore, if the plans outlined two years ago in an executive order by President Harding are ever put into effect it should give a decided impetus

to the development of centralized personnel administration for the whole body of civil servants—federal, state and municipal. In line with a previous statement urging that "the time had come for the federal government to organize its agencies of employment in accordance with the principles which had been tested and proved by the best modern business practice," President Harding ordered the organization of a federal personnel board that was to operate under the supervision of the United States civil service commission and to consist of a representative from each department and independent establishment. As expressed in the order, "the duties of the board shall be to formulate policies and plans designed to place the personnel administration of the federal government abreast of the best practice in private enterprise, with due regard to the peculiarities of the public service." A number of particular duties are specified. They include recommendations for probation, training, service-wide transfer and promotions, standard hours and leaves, as well as "other matters designed to obtain effectiveness of the public service."

If this executive order is finally carried out consistently with the purpose that animated it, we shall have in this country a practical demonstration of the feasibility of centralizing the most important personnel functions under the supervision of a single agency. This agency would naturally be responsible for examination and selection as is the case in certain of the foreign countries considered in the article referred to below.

The most thoughtful men who have been interested in civil service either from within the civil service commissions or from organizations interested in civil service problems are all but unanimous in the belief that future

³² This subdivision actually occurs under the Canadian civil service commission. They have an examination branch and an organization branch. Among other duties, the latter classifies positions.

³³ Cf. detailed treatment of the civil service abroad in the *National Municipal Review*, 1923.

³⁴ Cf. Reports of the Wisconsin, New Jersey, New York and New York city commissions.

progress in the standards of our public employees lies in the direction of the application of up-to-date personnel administration to government workers and the utilization of the civil service commission as the administrative agency. This group includes leading civil service commissioners, secretaries and chief examiners, but also the

officials of the National Civil Service Reform League and of the Governmental Research Conference. The annual reports of progressive civil service commissions, of the proceedings of the National Assembly of Civil Service Commissions and the special committee report of the Conference already cited give ample testimony to this fact.

CHAPTER III

PROPOSED PUBLIC EMPLOYMENT POLICY

With the primary aim of stimulating discussion the committee submits in this section the outline of an employment policy that in their judgment is in line with the standards and purposes set forth in the foregoing sections.

The fundamental plank in the committee's proposal is centralized employment control. "Control" is not used in its absolute sense. The type of control here referred to is of a supervisory character. It aims at the co-ordination of employment policy in the administrative agencies; and it functions through co-operation with them. That is to say, that centralized control as it is used here does not involve such functions as wage determination, the original preparation of efficiency ratings and the like. The execution of this policy calls for an agency with sufficient standing and equipment to serve as a clearing house and control center on personnel matters. Inasmuch as the typical municipal government has in the civil service commission an employment agency already exercising certain of the functions regularly performed by a central division of employment and inasmuch as the title and general purposes of the commission are so widely understood and accepted, and

finally in the knowledge that civil service commissions both here and abroad are co-operating fruitfully and constructively with the rest of the administration, as an efficient personnel agency should, the committee recommends that the civil service commission shall be made the central agency supervising the administration of the personnel policy wherever a commission is already operating and that a civil service commission charged with similar functions be installed in other municipalities.³⁵

³⁵ In the states in which the conduct of the municipal civil service is centralized in the state civil service commission, as in Massachusetts and New Jersey, it is urged that the local representative of the commission be selected for his ability to handle personnel matters in a broad way and that he be instructed to perform for the municipal employees the functions described in the following paragraphs; on the other hand, if there is no resident representative of the state commission in the various municipalities, it is recommended that some member of the local body of municipal employees be designated by the chief executive in consultation with the civil service commission to perform the duties properly ascribed to the personnel division. He would not alone serve as the liaison officer with the state civil service commission, but would also develop the personnel policy. In the large cities this would probably be a full time position. The former recommendation applies largely to New Jersey and the latter to Massachusetts.

Furthermore, since employment administration now has its own technique and a body of well-developed standards, the committee also recommends that the present board or commission consisting of three members, who, as we have pointed out, may or may not be qualified for their duties, be superseded by a single civil service commissioner who is selected because of his acquaintance with employment problems and modern methods of attacking them.

Finally, since such an extension of function and activity as here contemplated will involve radical changes in the personnel of the commission and an increase in the staff, it is further recommended that the annual appropriation be materially increased.

A comprehensive and detailed summary of the committee's suggestions which look toward a reconstitution of the civil service commission follows:

RECONSTITUTION OF THE CIVIL SERVICE COMMISSION

Membership:

A single civil service commissioner.

Term of Office:

The period of tenure is indeterminate.

Method of Appointment and Removal:

The commissioner is to be selected as a result of a competitive examination given by a special board. The examining board is to consist of three members each of whom is to be experienced in the field of employment, either public or private, but one of whom must have recognized standing as a commissioner, secretary or chief examiner of a civil service commission.

One member of this board examining the candidates for the commissionership is to be appointed by the mayor or comparable executive official or executive body,³⁶ the second member is to be

appointed by the local superintendent of schools and the third member is to be appointed by the former two members.

Upon appointment the examining board shall take steps to advertise a competitive examination open to all qualified candidates, and also to stimulate competent and experienced men to enter the examination.

The methods of publicity shall be similar to those adopted by the local civil service commission in advertising examinations for positions of comparable importance. It is suggested that the primary prerequisite for applicants shall be acquaintance with the administration of personnel in an organization of workers, relative in size at least to the body of public employees in the jurisdiction for which the appointment is to be made. Such experience may have been either in public or private employment.

The three names highest on the list resulting from the competitive examination shall be submitted to the executive official or body, from which list one name shall be designated by the executive as the civil service commissioner.

The first six months of service of the civil service commissioner shall be considered a probationary period when he may be removed by the appointing official or body. Beyond this period removal shall be only for cause and after written notice and a public hearing.

FUNCTIONS

The commissioner shall perform all functions properly pertaining to the personnel division of the municipal administration. These include centralized administration of the employment policy according to modern standards with regard to selection, placement, probation, transfer, ratings,

³⁶ In a city manager city, the city manager would make this appointment.

removal and kindred matters and in recommending rates of compensation. This program requires close co-operation with other administrative heads. The so-called legislative and judicial functions of the civil service commission are also included. It is urged that as to the former the rules and regulations issued by the commissioner shall have the force of law and as to the latter that the right of appeal to the commissioner be granted all employees in matters of discipline, promotion and demotion, and the like.

SALARY

The commissioner is to receive a salary equal to that of the head of the major departments, of the local government, except in the smaller jurisdictions, where it is to be commensurate to his duties and proportionate to the scale paid officials of like responsibility.

APPROPRIATIONS

Appropriations for the work of the commissioner are to be adequate to perform the functions listed above. It is suggested that the amount of the annual appropriation should be proportionate to the total amount of the annual pay-roll.

CIVIL SERVICE PERSONNEL COMMITTEES

The civil service commissioner shall be authorized to establish official personnel committees for each class of service in the government, these committees in turn electing representatives to serve on a central personnel committee for the whole group of civil service employees. The committees are to consist in equal parts of those designated from the supervisory and administrative officials by the chief executive and of those representatives chosen from the rank and file by the employees themselves.

It shall be the function of the personnel committees to meet with, to advise and co-operate with the civil service commissioner in the determination and development of the employment and administrative policy. The purpose of this co-operation shall be to promote the well-being of public employees and to improve the efficiency and standards of public service.

EXPLANATIONS AND DISCUSSION OF ADVANTAGES OF PLAN CENTRALIZED EMPLOYMENT SUPERVISION

The outstanding advantages of centralizing employment supervision under a single qualified head would be that vital personnel matters, which so often go to-day at sixes and sevens, will be handled under this arrangement uniformly, systematically and according to accepted standards. Whether it is a question of salary or tardiness, it will be the business of the division of personnel to see to it that the common employer, that is the government, shall treat all justly and wisely. It is to be expected that the commissioner will be a man trained to anticipate and cope with dissatisfaction before it bears fruit in the form of lessened interest and lowered efficiency. That is to say, that the government would treat its workers with no less systematic attention than it is accustomed to handle its machinery. Rule of thumb methods, neglect, or spasmodic considerations of important problems are not conducive to the maintenance of morale, a prime condition of maximum production.

Instead of a quasi-isolated civil service commission, the proposal contemplates a personnel agency that would be part and parcel of the administration and of equal rank and authority with the other centralized agencies like the budget division and the central purchasing department. "Keeping the

rascals out" will fall far short of describing the work of such an agency, just as it does in the case of some of our municipal commissioners to-day. It will rather find its attention fully absorbed by the task of securing and holding the most fit. The modern city with its manifold obligations, called upon to aid and protect its citizens in practically all vital relations, must now compete with the best employers for the best workers. To do this there must be an alert and responsible administrator carrying on a well-conceived and enlightened employment policy.

THE COMMISSIONER

The results of the most usual method of appointing commissioners in vogue to-day, namely appointment by the executive, have sufficiently proved that the chief executive, himself the choice of a political faction, does not ordinarily free himself from political and personal considerations in making appointments to the commission. We have then the anomaly of an agency, called into being to safeguard the administration from politics and to advance merit in appointments, itself composed of members chosen along political lines and without any special reference to their fitness for handling involved and extensive employment matters.

These circumstances point to the desirability of committing the selection to some outside non-political examining board that would be primarily interested in securing well-qualified candidates for the position of civil service commissioner. As it is obviously undesirable to transfer the authority for so important an appointment as that of the head of the personnel division to a board entirely unresponsive to the executive head of the government, it is proposed that the mayor or comparable executive in the commission or

city manager form of government name one of the three members of the examining board and that the superintendent of schools name a second member while these two name the third. It is further understood that all of the members so named to sit on the examining board shall themselves be acquainted with employment problems and qualified to choose candidates who are competent to handle an employment department. It also seemed appropriate to prescribe that at least one of the three members of the examining board should have acquaintance with public employment in connection with a civil service commission.

The reason for suggesting that the superintendent of schools be associated with the mayor in naming one member to the examining board is that of all public officials in the typical American city he is likely to be least subjected to local political influences. As his only function in the proposed scheme is to nominate to the examining board a single person who has had employment experience, it is not likely that there will be any temptation to bring undue pressure to bear on him or to entangle him in local political affairs.

It will be seen that the above scheme gives the chief executive a considerable amount of discretion. In the first place, he has the right to appoint practically one and one-half members of the examining board, and the further right to select one of the three eligibles on the list submitted by the examining board.

The constitution of the examining board should be a guarantee of the qualifications of the candidates submitted to the mayor, both as regards their interest in furthering merit principles, their desire to co-operate with administrative officials and their ability to operate the city's employment policy along modern lines.

Under this plan the mayor or comparable executive authority would have the privilege of removal, but only after the filing of charges at a public hearing. Because of the importance of maintaining harmonious relations between the executive and the personnel division of government, the removing power rests ultimately with the executive. As was previously pointed out, the personnel division cannot function properly unless it becomes more and more part and parcel of the administration. In the judgment of the committee, real co-operation presupposes that the executive head of the government shall be permitted to dispense with the services of an incumbent who for good and sufficient reasons proves to be no longer acceptable to his administration. A safeguard against abuse of the removing power is found in the provision that the reasons for removal must be stated in writing, and that if desired the commissioner shall have the right to a hearing before the executive. This procedure has proved to be an effective check against arbitrary action, and as public opinion becomes more interested in administrative matters, it is bound to become more and more so.

It is strongly urged that the head of the personnel division shall be retained as a matter of practice so long as he is performing competent and satisfactory service, irrespective of changes in the administration. His experience, his wide acquaintance both with employees and employment conditions, should increase his value as time goes on. The civil service commissioner should, therefore, come to be looked upon as an administrative official without policy-determining functions of a major character and, accordingly, one whose period of appointment would terminate only because of incompetency or some valid reason. Such relative perma-

nency will do much toward making the position attractive to the type of men who should be found increasingly in the responsible office of civil service commissioner.

COMPENSATION

As the commissioner is to be responsible for the human relations and adjustments which affect hundreds and in many cases thousands of employees, it is important that he should be a high-grade man and one capable of dealing on an equal footing with the ablest members of the administrative staff. His personal power, tact and experience will go far toward overcoming the opposition and prejudice of such administrative officials as resent "interference" with their own employees.³⁷ In the earlier stages, particularly, the commissioner must win the co-operation of his associates and prove to them that in the long run this centralization of supervision of personnel conditions is in the interest of efficient administration. To secure a man of the requisite caliber for this responsible and difficult work will demand a fairly high salary and one that must compare with those paid other high administrative officials.

A partial and, in some cases, a complete offset for the high salary suggested for the commissioner will be brought about by the elimination of the salaries now distributed among three or more commissioners who devote only a limited amount of time to this work.³⁸

³⁷ Many department heads, although not actually antagonistic to civil service work, have resented what they chose to term "interference" in their placement of employees, feeling that promotions, transfers, increased compensation and other details should be left entirely to their judgment." From 1921 report of civil service commission of San Diego, Calif., p. 8.

³⁸ The present custom of paying three or more commissioners for part time is wasteful. Some

FUNCTIONS

The functions ascribed to the commission are a combination of those usually performed by a civil service commission with those assigned to the employment division according to modern conceptions of employment management.

As to the former, the typical municipal civil service commission usually exercises administrative, legislative and judicial functions. The administrative normally cover employing, recording, and control of the classified positions. Employment involves recruiting applicants, examining them and setting up lists of eligible candidates. The records include all important changes in the employment history of the classified employees, from entrance to separation from the service. Control of the classified service calls for decisions as to whether positions belong to the exempt class, the non-competitive class or whether they may be filled by provisional appointees.

The legislative functions have to do with the promulgation of rules and regulations, usually with the authority of law.³⁹ These rules and regulations are the administrative code of the commission, as it were, and embody the policy whereby it aims to carry out the basic civil service law. The factors that enter into this policy as well as its scope are definitely prescribed in the

law itself. In other words, the right of policy determination, so far as the commission is concerned, is circumscribed and has to do with administrative detail.

Again, more frequently than not, judicial functions are also attributed to the civil service commission in that it is a final court of appeal in major matters of discipline. So far as the records go, only a surprisingly small number of appeals are carried to the commission. It is true that in a few isolated instances the privilege of appeal has proved to be a drain on the commission's time but even in such cases it may be anticipated that this danger will be avoided if an experienced and competent man were appointed to the position. In the first place, if the commissioner is tactful and deals with appellants in advance of formal appeal, we may safely predict that the number of appeals would be inconsiderable. Furthermore, if the commissioner is really filling his position as an experienced employment manager, he would investigate, as a matter of routine, all possible points of friction and disagreement for the purpose of forestalling appeals. This would naturally lead to a reduction and ultimately to an elimination of the causes of appeals.

In order to indicate that the proposal to assign to the civil service commission the functions usually performed by a modern employment department is

light is thrown on this by the following data taken from Appendix II of the Conference Committee Report (pp. 75, 100 f.) and the original questionnaires:

<i>City</i>	<i>Number of Commissioners</i>	<i>Aggregate Annual Salary</i>	<i>Average Number Hours per Week</i>
Cincinnati.....	3	4,500	5
Cleveland.....	3	6,000	3
Detroit.....	4	8,500	2-5
Milwaukee.....	3	1,440	3
Rochester.....	3	3,000	"Not Extensive"

If the aggregate amount were lumped and paid a single commissioner as proposed above, it would be possible in most of these cities to attract a man of first-rate caliber.

³⁹ This occurs in 13 of the 24 cities considered in the Conference Committee Report, p. 20.

nothing revolutionary and will require no considerable change in the laws and statutes under which the civil service commission is operating, a summary has been given above (p. 457) of the functions either performed by or ascribed to the civil service commissions investigated in the Conference Committee Report of the Governmental Research Conference.

Among the functions commonly appearing in civil service laws are the following: classification of positions according to duties, recommendations of proper rates of pay, supervision of co-operation in the efficiency rating system, holding of promotion examinations, handling of appeals in cases of discipline and dismissals and, finally, the power of investigating the operation of the civil service law.⁴⁰

Taken altogether the above comprises a rather comprehensive employment program.⁴¹ It indicates that the civil service commission was originally conceived by the framers of the early civil service law, as the central employment division. It also warrants the conclusion that the proposal of the commission can be carried out in most

important directions without special enabling legislation. As a matter of fact there would probably be no objection on legal grounds if the chief executive should commission the civil service commissioner to perform functions along the lines discussed, even when no provision were found in the civil service law.

APPROPRIATIONS

It goes without saying that however admirable the plan of organization may be and however capable the commissioner proves to be, he cannot get results without adequate staff and office assistance. On account of the large number of variables, it is obviously quite difficult to make specific recommendations as to the amount that ought to be appropriated for the civil service commission and personnel division. But in the belief that there is an inherent connection between the amount expended on the pay-roll and the amount appropriated for the use of the civil service commission, a comparison of these items was made in nine of our larger cities.⁴² It appears that the average percentage of the total

⁴⁰ The Conference Committee Report (pp. 79, 80) shows that in 20 of the 24 cities the civil service commissions are empowered to investigate the operation of the civil service law and in 11 the efficiency of the organization units as well.

⁴¹ Compare outline of the functions of the personnel department in "Personnel Administrations," Tead and Metcalf, Chapter IV. For a summary statement of the functions performed as well as those implied in the suggestion just outlined see the Appendix.

⁴² The following data found on p. 99 of the Conference Committee Report and in special questionnaires show the disproportion between appropriations to the civil service commission and to the total pay-roll item:

<i>City</i>	<i>Appropriations to Pay-roll</i>	<i>Appropriations to Civil Service Commission</i>	<i>Percentage</i>
Philadelphia	\$30,000,000	\$65,000	.21 of 1%
Cleveland (1922)	10,486,000	15,928	.15 of 1%
Seattle	9,800,000	27,320	.27 of 1%
Buffalo	9,079,972	19,365	.2 of 1%
Los Angeles	6,010,252	24,270	.4 of 1%
Portland	2,802,484	6,330	.22 of 1%
Yonkers	1,752,349.04	4,320	.24 of 1%
Dayton	1,303,940	5,491	.4 of 1%
Spokane (1922)	1,180,408	2,155	.18 of 1%

pay-roll made available for the civil service commission was but slightly more than two and one-half tenths of 1 per cent.⁴³

Data compiled by a committee of the National Association of Employment Managers for the year 1919 form a marked contrast to the above figure. It appears from this report that of 33 private firms scattered throughout the eastern states only 2 were allotting so low a percentage of the pay-roll to personnel department activities as is the case in the list of cities found above. The average expenditure for 31 firms was 1.83 per cent of the pay-roll, or seven times more than the average spent by the civil service commissions considered.

In view of the above comparison, but also in consideration of what the civil service commissions have been able to accomplish with their appropriations in the past and finally taking into account the increased functions here suggested, the committee would propose simply as a basis of discussion and with reference to the medium-sized commissions, that approximately 1 per cent of the total pay-roll might well be appropriated for the operations of the municipal civil service commissioner.⁴⁴ Whatever is appropriated should of course be determined, as it is in other departments, namely with

⁴³ It should be pointed out that the total pay-roll includes salaries for the unclassified as well as the classified group of employees. But even when due allowance is made for this, the percentage appropriated for the purposes of the commission is obviously inadequate, particularly if the functions of the commission are to be expanded as is here proposed.

⁴⁴ This same provision is found in the constitutional amendment proposed by the civil service section of the Commonwealth Club of California, which provides for a continuing appropriation for the work of the civil service commission of not less than 1 per cent of the annual salary rolls within the jurisdiction of the commission (Trans-

reference to the legitimate needs of the work as these are demonstrated to the proper fiscal and reviewing authority, and to the state of the city's finances.

One outstanding justification for materially increasing the appropriation to the civil service commissioner is the obvious need of making first-hand acquaintance with the actual positions and their incumbents. This holds equally for purposes of examinations, efficiency ratings, promotions, transfers and dismissals. Such a program requires a considerable staff and a capable one whose members will frequently be found in the departments looking for and bringing together pertinent information. What a change this involves may be understood when one thinks of the usual civil service commission of the present which owes such a large percentage of its contacts with the positions to be filled and the personnel of the force to memoranda, personal appeals and telephone conversations.

A competent and adequate staff is the crux of the matter. If the appropriating body does not see fit to supply the necessary finances the program will fall of its own weight. Once appreciating the importance, however, of having a body of civil servants who are really "fit," those on the appropriating body need only put the annual estimates of the civil service commission and personnel division to the same test as in the case of other departments, namely, need, relative importance and what the city can afford. If the type of commission here proposed is financed proportionately to the other departments, it should gradually raise the civil service to a new level of efficiency

actions, December, 1921, p. 345). This seems a sounder basis for determining amount of appropriations than either assessments or population. For the former cf. the law for Milwaukee; for the latter that of Minneapolis.

and give it the standing which it rightly deserves. This expense can be amply justified by application of the formula of retrenchment which we have adopted, i.e., "wiser spending."

PERSONNEL COMMITTEES

The committee's recommendation for an organization of the employees into personnel committees is based on the New Jersey statute for the civil service of the state government. The only important variations from the New Jersey plan are: (1) that the committees have equal representation of the staff and the rank and file, and (2) the specific provision of a central committee that would embrace representation from the various organizations of government grouped along service lines, such as the labor, the clerical, and the professional and technical classes of workers.

It should be pointed out in this connection that the success of the whole plan of employee representation will largely depend on the type of leadership shown by the civil service commission. Recent evidence on the necessity of leadership has been compiled after a nation-wide study by the National Industrial Conference Board.⁴⁵ The report points out (pp. 4 ff.), that one of the chief causes of the breakdown of the works' council plan where it has broken down has been the failure of the management to win the employees for the plan, and further, when the committees were engrossed in grievances and complaints, it is claimed that this was due to the failure of the management to take an active interest in the employees' organization and to direct their attention to more constructive activities. However, according to the report, wherever real

co-operation was brought about, it led to an increasing interest on the part of employees in the efficient and economical operation of the plants concerned,⁴⁶ and also to a marked improvement in the relations between management and men.

So far as employee representation in government is concerned, the federal post office department is the only government organization where a committee system is being operated on a broad scale. The committees are called service councils. According to the report of the department 405 of these had been established on October 1, 1922, in first-class post offices and 309 in second-class offices. Among them are found some striking examples of successful operation in offices ranging in size from 22 employees to 15,000. The interest of the postmasters in the plan is said to have been an important factor in its success and "whenever this interest has been especially keen the councils have been certain to work towards efficiency and co-operation."

The committee recommends, therefore, that the civil service commissioner should recognize his responsibility for launching and guiding the personnel committees here proposed. There is every reason to suppose that if properly utilized they will serve as a means of improving methods, of increasing the standard of efficiency and, above all, of stimulating the interest in work that is the main objective of modern personnel management.

SUMMARY

In the foregoing chapters the committee has referred to government as one of the major industries of the country and one in which, both on account of its functions and the size of

⁴⁵ Experience with Works Councils in the United States, Research Report, No. 50, May, 1922.

⁴⁶ One purpose of the action of workers' committees is "to make each worker an efficiency engineer." Tead and Metcalf, p. 211.

its aggregate pay-roll, personnel standards are of prime importance. Maintaining that the character of the work of government is peculiarly dependent on the efficiency of the personnel, the committee urged that the program of retrenchment or "wiser spending" should take cognizance of the personnel situation in the public service. An analysis of this went to show that the low standards so frequently encountered were due to a number of factors, chief among which was the distribution of authority for personnel and restrictions of various sorts that hampered, if they did not prevent, the performance of essential functions assigned to the civil service commission. This led to the conclusion that the civil service commission or some comparable central agency should be made responsible for the employment policy and should be given the authority and the funds to administer this policy in line with the modern methods. Certain methods met with in private enterprise were then considered with reference to their applicability to the public service. Thereupon, the committee suggested the manner in which the civil service commission might be changed in order to meet the demand for an effective personnel agency. The following outline brings together the main features of the proposed organization:

Executive head

Civil service commissioner.

Selected by

Special examining board of 3, all of whom are experienced in the field of employment. One examiner to be appointed by executive, one by local superintendent of schools, and a third by the first two—at least one to be officially connected with a civil service commission.

Appointed by

Mayor, commission or city manager from list of 3 submitted by examining board.

Dismissed by

Mayor, commission or city manager after filing of charges and public hearing.

Salary

Equal to that of administrative officer of similar responsibility.

Function

Administration or co-operation in administration of employment and personnel policy, covering selection, placement, probation, transfer, ratings, removals, recommendations of salary rates, etc.

The proposed civil service commission should differ from the present typical civil service commission in that it should more nearly become an integral part of the administration, supervising and co-operating in all phases that affect the personnel. Its supreme task will be to give government service the standing and reputation of one of our great industries. It must make the government a good employer and one for whom its employees are proud to work. It is of the utmost importance that the schools and universities and public opinion should be mobilized so that our civil service can be recruited from the best candidates as is the case in the great foreign countries.⁴⁷ Such an achievement will necessarily be preceded by the inauguration of comprehensive and well-administered methods of employment control. This calls for constructive leadership of the highest order and consequently for a

⁴⁷ "The normal flow of qualified juniors into the public service is the basis of both efficient and economical administration." 25th Annual Report of the Public Service Board, New South Wales (p. 4).

leader of personality and power. In a word, the civil service commission must be a constructive administrative agency with a staff and a chief of staff qualified to meet the far-reaching responsibilities involved in public personnel management.

Not for the purpose of disarming criticism by anticipating it, but rather out of the most genuine conviction, the committee wishes to conclude its report by paying its tribute to the great body of public servants whose interest and intelligence and devotion to the public good is the backbone of our public administration. Members of this body are found in every jurisdiction, even in the "typical municipality" and the "typical commission" of which we have written so much. This tribute applies with special force to those civil service commissions that are successfully forging ahead and blazing the trail in spite of traditional prejudice and financial need. We have been moved to dwell on unfavorable typical conditions because they are typical and because we believed that by arousing public interest in them we might hasten the time when the municipal government will become a model employer and the citizens of our municipalities will grant the public employees the status and prestige their positions so fully deserve.

APPENDIX

SUMMARY OF FUNCTIONS OF THE CIVIL SERVICE COMMISSION AS A PERSONNEL AGENCY

- I. Customarily or frequently performed
 1. Administrative
 - a. Classification into competitive,

- non-competitive, exempt and labor classes
 - b. Selection: recruiting, examination, certification
 - c. Classification on basis of duties (e.g. administrative, clerical, medical, engineering, labor, etc.) and standardization of salaries
 - d. Transfers
 - e. Promotion examinations
 - f. Checking pay-rolls
 - g. Personal records
 - h. Investigations as to operation of the civil service law

2. Legislative
 - a. Promulgation of rules and regulations
3. Judicial
 - a. Appeals in disciplinary cases

II. Occasionally performed

1. Administrative
 - a. Follow-up in probationary period
 - b. Supervision of efficiency ratings
 - c. Supervision over hours of work
 - d. Supervision over annual and sick leave
 - e. Recommendation of wage changes to legislative body (both currently and on special occasions)
 - f. Stimulation and development of training opportunities

III. To be performed in a planning or advisory capacity

1. Administrative
 - a. Supervision over time-keeping (absenteeism and tardiness)
 - b. Supervision over conditions of work (light, heat, cleanliness)
 - c. Supervision over health and safety

CO-OPERATION BETWEEN PERSONNEL AUTHORITY AND DEPARTMENT HEAD

BY LEONARD D. WHITE

University of Chicago

THE report of the special committee on civil service may be briefly summarized in the following terms:

1. A review of the present status of the municipal civil service, leading to the expression of opinion that in the typical municipal civil service commission the work is not well done.

2. A review of the personnel activities in private employment leading to the expression of opinion that the civil service commissions can learn from the methods of private employers.

3. Certain positive recommendations providing for centralized coordination of the employment policy through a single civil service commissioner with an indefinite term of office, appointed by the chief executive of the city from a list of three made up by a special examining board consisting of three members, one of whom is appointed by the chief executive, another by the superintendent of schools and the third by these two members acting together. The recommendations include also a salary for the civil service commissioner equal to that of the head of major departments of the local government, appropriations for the work of the commissioner on a larger scale than has hitherto been the case, and finally civil service personnel committees chosen in equal parts from the administration officials and from the rank and file.

A NEW TYPE OF CIVIL SERVICE COMMISSION

Waiving any criticism of details of statement this report is a well thought out and carefully stated plea for a new

type of civil service commission with emphasis to be laid in the future on constructive personnel organization, rather than the negative function of protection against spoilsmen. The current movement for improvement of the civil service commission owes much to the committee which prepared this report and also to the Governmental Research Conference report on which the present review is largely based.

An important point raised by the report relates to the underlying assumption on the part of the committee that the new method of selection would bring about that degree of co-operation between the personnel authority and the heads of departments, which is rightly stated to be the *sine qua non* of efficient personnel activity. Throughout the report the committee stresses this factor of co-operation. The question may fairly be raised, however, whether the method of selection proposed for the civil service commissioner is not one which would tend definitely to hinder the growth of that spirit of co-operation which is rightly held to be so important. The committee holds the opinion that the shifting of emphasis from the critical and negative function of defeating the spoilsman to the positive function of performing service for the departments will lead "as a matter of course" to the co-operation desired. But the committee is unwilling to trust the chief executive with the power of appointment of the civil service commissioner, thus revealing a suspicion, perhaps well grounded, that it is still necessary for this negative function to be per-

formed; and the method of selection proposed is one which is defended chiefly on the ground that the commission must be protected so that it can effectively perform this negative function of defeating the spoilsman. Although the chief executive is given considerable leeway in the selection of a commissioner, the method of selection proposed inevitably would mark the civil service commissioner as an official not the direct choice of the chief executive and not subject as closely as other department heads to the co-ordinating and directing influence of the mayor.

FREEDOM FOR APPOINTING AUTHORITY

The method of selection and the justification therefor does not accordingly seem to be in harmony with the underlying idea of the committee that the success of the personnel work must lie in a large degree in the extent of voluntary co-operation which can be set up between the chief executive and

the department heads on the one hand and the civil service commission on the other hand.

It may be suggested that the most effective way of securing such co-operation is to permit the mayor to select his civil service commission with as much freedom as he selects other heads of departments, to require that the selection be made from persons who have had a stated, specific experience in personnel matters and to depend upon elections to secure that kind of a mayor who will make the proper selection in the first place, and who will insist upon co-operation in the second place. Without the right kind of chief executive no machinery for the selection of the civil service commissioner can be really effective, and while reliance upon the results of an election to get the right kind of a mayor will certainly lead to many disappointments, it may be nevertheless that this is an essential part of the education of a democracy in the task of self-government.

THE SELECTION OF THE CIVIL SERVICE COMMISSIONER

APPOINTING POWER SHOULD HAVE FULL FREEDOM

BY ALFRED BETTMAN

Cincinnati

I HAVE read with great interest report of the committee on the present status of municipal civil service, and wish to congratulate the committee upon it. It strikes me as comprehensive, keen, valid and constructive. Except for one item, to be discussed, I agree with it in every respect and am discussing this one item, since I am sure the reader will not care to have

me elaborate upon those features of the report with which I agree.

The only point about which there is some question in my mind is the requirement of a competitive examination by a special board for the civil service commissioner. The report rightly points out that the civil service commissioner should be treated as a co-ordinate part of the city administra-

tion and not an outsider checking the administration. It would, it seems to me, develop this sound idea, that the civil service commissioner is simply the head of the personnel department of the administration, if the head of the administration, that is, the chief appointing power, has the same freedom in the appointment of the civil service commissioner that he has in the appointment of any other department

head. The commissioner should be his man and not somebody imposed upon him. He should have the same responsibility for a good selection of the head of his personnel department as the heads of his other departments. The special competitive examination by a special examining board strikes me as an illogical retention of the checks and balance system.

CIVIL SERVICE AND THE CITY MANAGER¹

BY CLYDE L. SEAVEY

Former City Manager of Sacramento, California

It has frequently been stated in print and in public address that the city manager form of government and civil service are absolutely antagonistic to each other, and that the city manager form of government could not exist unless civil service were eliminated. I don't believe that. There are different kinds of civil service. A proper kind of civil service can operate and be of immense value under the manager form of government, as well as it can under any form of government. I believe that civil service as a method of qualifying people for positions and employment is a necessity under the city manager form of government, and a necessity for proper administration under any form of government. Neither the city manager nor any one else appointing should be in a position where he could absolutely personally control all of his appointments; not his appointees mind you, but his appointments. I believe that he should, for his own benefit, as well as for the benefit of the public and the administra-

tion, be compelled to go to a qualified list to appoint. But I do not believe that the city manager or any other executive can properly carry on the duties of his office, unless he has the right, under proper restrictions, to remove his appointees. I do not believe that any appointing power should have the right arbitrarily to remove an appointee. But I believe that he, in some public way, should be the only one to determine whether or not an appointee should remain under his administration. If the city manager, or any other appointing power, is qualified to hold his office, he must be qualified to give substantial justice to any one who is appointed by him or working under him. If he is compelled in retiring any one from the service, to go to a board and submit to their decision as to whether or not the appointee shall be retired, it places him in an impossible position, to get proper results from appointees when they are not retired. And if an appointee is given certain rights, which I believe he should have, and which he has under some forms of civil service, he will be

¹ Reprinted from *Pacific Municipalities*.

protected as far as he should be protected in his employment.

Now there are two methods of civil service. One is founded upon the belief that the person serving should be protected in his employment against his employer. The other is founded upon the belief that public service should be standardized and protected. It is not generally known, but under the California state civil service, the appointing power may appoint only from a qualified list, and may remove and determine for himself whether or not the appointee shall be removed. But he must make that determination a matter of public record—a public hearing must be had if it is called for

by the appointee that is to be removed. That seems to me to give any appointee sufficient protection against an improper removal. If the appointing power is willing, in a public hearing, to take up the matter of the removal of an appointee and make it a matter of record, it is a sufficient safeguard against his being improperly removed. Any public official who appoints should have the privilege and right to remove in that manner, and I do not believe you can get efficient management under any form of government without that. . . . I believe in civil service. But I do not believe civil service is made just to keep people in office.

REPORT OF THE CIVIL SERVICE COMMITTEE REVIEWED FROM A NON-POLITICAL ADMINISTRATIVE VIEWPOINT

BY HENRY M. WAITE

THE following thoughts on this very interesting civil service committee report are written entirely from my experience with civil service in city governments and not at all from my capacity as president of the National Municipal League.

The American mind interests itself primarily in business and not in government. When something radically wrong occurs in government, the business mind advocates more laws to check future similar wrongs. The result is manifested in our applying numerous plasters outside the body politic, attempting to draw out some of the ills of government.

The civil service law is one of the

many plasters—it was conceived with the idea of curing the spoils system. Commissions, at the period of civil service reform, were the means by which these curing plasters were stuck to the administrative powers of government.

The theory of these commissions was that they should be bipartisan; the minority would have a representation. This theory of commissions to assist in overcoming glaring evils of government was a tremendous success. It has accomplished great things.

The accomplishments in civil service have been as great, if not greater, than in any other field of reform. It seems, therefore, to be a fair statement that if

there exists a spoils system, civil service can help. If there is no spoils system, there is no need of civil service as a protection from spoils. If the spoils system has existed and has been cured either through changes in form of government or otherwise, it is good policy to continue civil service until the people themselves are satisfied that the spoils system will not return. It seems equally true that if the spoils system exists, there will be lack of hearty co-operation on the part of the administrative departments with the principles of civil service, particularly with those principles that interfere with the free appointment of subordinates.

It must always be borne in mind that civil service has important functions outside of protecting government from the spoils system. It is the employment agency of government. It aids in overcoming labor turnover. It adjusts the man to his proper employment. It keeps records of efficiency. It promotes worthy men. It is the government's personnel department.

A NEW MAYOR SEEKS TO CONTROL THE COMMISSION

In cities under civil service with a commission, it is usual that the incoming mayor can appoint one and oftentimes two of the commission and it is so arranged, or can be arranged, that the party which the incoming mayor represents can be given the majority on the commission.

It is the aspiration of an incoming mayor immediately to figure how his party can have the majority on the commission.

Most civil service commissions have an examiner. The commission appoints this examiner. He is the administrative head under the commission. The commission represents that ever-present political governing body. In theory, the examiner should retain

his position regardless of the changes of the commission. His policy should be one strictly of fairness and justness to the employees in the service. He is often interfered with in this duty by the political coloring of his commission.

The duties of the commission are principally those of policy. They are supposed to protect the community from the spoils system and carry out the civil service laws. If the majority of their membership is of the same political faith as the executive, they work in harmony; if not, they work against the policies of the executive. The commission formulate the rules under the civil service law for holding examinations. The examiner holds the examinations.

Where we have good civil service laws, the duties of enforcement are and should be purely administrative.

I personally feel that the selection of a commissioner or examiner, as outlined in this report, will bring about much better results than a commission. It would centralize authority, obviate party politics in the commission, make continuation in office more probable and would create a department which could continue its policies.

In the field of the city manager cities, I personally feel that one commissioner properly appointed would give much better service to the community than a commission and an examiner.

THE CITY MANAGER

The statement might be made that under the city manager form of government, civil service is not needed. In theory, this may be true, but until city managers have continued to demonstrate that they will and can keep out the spoils system, as they are now doing, it is useless and foolhardy to consider the abolition of civil service control, even in city manager cities.

Civil service is also needed in the employment and standardizing of position and keeping records.

All intelligent attempts to improve government of late years have been toward the simplification of government. This simplification has manifested itself in centralizing authority. This is done in business, we are trying to make government a business and, therefore, why not apply business principles to government if we expect government to operate as a business.

If simplification as outlined by this committee is applicable to city manager cities, I feel that greater results could be obtained by some such process as outlined in other governments. There is more danger of political interference with civil service where you have an elected mayor than there is where you have an appointed city manager.

The idea advanced by the civil service committee is not yet applicable

to federal civil service as a great deal of federal appointments are still of the spoils system. Until we get a president and congress of sufficient enlightenment and temerity to put all appointments under civil service, such a progressive step as outlined in this report will not be applicable to federal civil service.

In the federal government, the executive still has very broad rule-making powers under civil service. This situation requires a commission as there is great need of policy.

I feel that the National Municipal League owes a great debt of gratitude to the committee for this comprehensive study and report which they have rendered. There will be much interesting and enlightening argument from both sides on the subject but I cannot help but feel that, as a result, this League will through this report take a very long and advanced step forward in the handling of civil service.

COMMITTEE'S PROPOSALS UNWORKABLE

BY ROBERT MOSES

New York

I THINK the report consists of a great deal of smoke and very little fire. It starts out with an indictment of our present civil service system which I think is justified, proceeds to paint some rather glowing and visionary pictures of what civil service ought to be, and ends up with specific recommendations, most of which mean very little when you analyze them and some of which I regard as entirely unworkable. In so far as I agree with the diagnosis, you will not wish any further statement. As to the points of disagreement, I do not believe that the

analogy between public and private employment means a great deal nor do I believe that the final recommendation for centralized employment control has any particular significance, especially in view of the fact that the report states that the proposed centralized control can be brought about by very few changes in the present control.

SELECTION OF COMMISSIONER

I think the outstanding recommendation for the appointment of a single commissioner is wholly unworkable.

I do not believe that the superintendent of schools should have anything whatever to do with selecting a civil service commissioner. Any one who has the slightest knowledge of the city school question knows that the tendency is all in the direction of separating schools from other city activities. Ordinarily the city school superintendent has little knowledge of city administration outside of schools and has plenty to do in his own department. No more foolish expedient could be thought of than to drag a city superintendent of schools into political and other controversies involved in selecting a single civil service commissioner and to subject him to the pressure which would be involved in his selection. Similarly, it seems to me that the requirement that one of the selecting committee be a civil service official of another city or state is wholly unworkable in practice, especially in the larger cities.

I do not believe that a civil service commissioner selected in the manner proposed would be allowed to remain in office even as long as the average civil service commissioner remains under the present system. The result of the proposed manner of selection might easily be that the commissioner would be left high and dry without the support and backing of the city administration. How under such circumstances he would get the larger appropriations which the report recommends is beyond comprehension. Personally, I believe that there should be a single civil service commissioner for administrative purposes but that he should have associated with him at least two commissioners on part time at smaller salaries who should act with him as a quasi-judicial and legislative board. It is axiomatic that one man should not exercise judicial and legislative powers.

PERSONNEL COMMITTEES SUPERFLUOUS

Specifically again, I cannot understand what the personnel committees which are proposed and whose functions are not defined are going to do. It is vaguely indicated that they are going to function with reference to personnel matters not now associated with civil service administration but involved in the operation of a personnel and welfare department in a private business corporation. From my experience with civil service, I do not believe that there are a dozen questions of any importance arising in a single year in government employment which might be submitted to the central employment board which is recommended, and I do not believe that these questions are sufficiently important to justify creating all the machinery which is proposed. Either the representative personnel organization would mean very little, or else it would gradually come to be a kind of controlling soviet such as has grown up in various government services in Germany since the war. It should be remembered that with reference to this matter of representation of employees, the government service is on a totally different basis than is any private corporation, because the government service is in the very first instance directed by representatives of the people themselves.

It seems to me that what is required in civil service is a drive at a few immediate objectives, not at a lot of vague generalities. What we need is larger appropriations, better personnel in civil service commissions, better classifications of employees, and adequate standards of compensation, better examinations for appointment and promotion, new incentives in the way of higher salaries and promotions for more competent employees, and last

but by no means least, compact and responsible organization of government and a better type of leader in the important key positions to direct and inspire personnel. If we can get something like a model system on these lines in one or two states and one or two cities to hold up for the rest of the country, we may get somewhere.

I suggested to one of my Yale class-

mates recently that he establish a fund out of which a medal or other prize would be given annually for the most conspicuous improvement in civil service or government personnel, and that part of the fund be used to publish a record of the achievement. I think that more could be accomplished in this way than by all the academic treatises that were ever written.

VITALIZE CIVIL SERVICE BY BETTER MANAGEMENT¹

BY FRANK O. LOWDEN

Former Governor of Illinois

No one, I think, who sees clearly would go back to the old spoils system. Civil service laws have afforded substantial relief from the evils of that system. Students of government, however, have been asked for several years if the last word had been spoken in civil service reform. I find that the examination test, while, of course, a vast improvement over the old method, is being recognized generally as far from satisfactory. In a recent address by Lord Haldane, in his inaugural address as president of the Institute of Public Administration in England, he said: "I have come to the conclusion that the pure examination test is far from being a perfect one. Success may result from qualities which neither import the more thorough kind of knowledge nor guarantee fitness for the kind of employment sought after."

Civil service commissions have contented themselves in the main with blocking entrance into the service for purely political reasons. That is natu-

ral in view of the fact that they came into being for this purpose specially. Generally they have not concerned themselves much with efficiency after entrance into the service has been effected. In practice civil service commissions have been as far removed from the administrator as was possible. On the other hand, a great revolution has been going on in private business in the matter of employment. In private business of any magnitude there has been developed a great central employment department, the head of which is upon a level with other heads of the important departments of the business. That department concerns itself, not only with entrance into service, but concerns itself with all those factors which make for a better morale. It removes inequalities of and injustices to different employes, and keeps in constant relation with employes through shop and other committees selected by the employes themselves.

It is often said, and rightfully too I think, that the government should be

¹ *Editor's Note.*—From address before National Conference on Social Work, May, 1923.

a model employer. That it is not so to-day, I think all must admit. Many praiseworthy efforts have been made to standardize salaries. This has been found a most difficult task. And many think that this will be impossible until civil service bodies shall be molded more after the employment department in private business. That there are gross inequalities in compensation and in other working conditions among public employes there can be no doubt.

A NEW SPIRIT NEEDED

That a new spirit would animate civil service employes and efficiency be increased by such a department, I believe to be true. If civil service laws are to be entirely satisfactory, there must be genuine co-operation between the civil service authorities and those responsible for administration. Were this so, examinations would be so shaped as to put more stress upon temperament, upon character, upon special fitness for the particular place than they do now. If the civil service authorities felt some responsibility for what happened after entrance into the civil service was once effected, they would find ways and means for recognizing special merit and insuring prompt promotion. In other words, it is conceivable that the civil service of the state could be vitalized in such way that inequalities in pay and working conditions, as between those doing substantially the same grade of work but in different departments, would be removed. A civil service employe even in the humblest position could be made to feel that he was part of a great living organization and not simply the cold product of a statute law which abandoned him to his fate when once he was in the service.

THE COMMITTEE'S REPORT

Recently a very important report upon this whole subject has been made by a special committee on civil service of the National Municipal League. This committee was composed of Mr. Henry S. Dennison, president of the Dennison Manufacturing Company; Dr. W. E. Mosher of the National Institute of Public Administration; Mr. William C. Beyer of the Philadelphia Bureau of Municipal Research; Mr. Morris B. Lambie, secretary of the municipal research bureau of Minnesota; Mr. John Steven, chief examiner of the New York State Civil Service Commission, and Mr. Whiting Williams, labor investigator and author. It will thus be seen that the committee was composed of men who had had large experience in employment, both public and private. It is the most comprehensive discussion of the subject of which I know. The general conclusions above stated, to which I came as a result of my experience as chief executive of Illinois, seem to have been reached also by this committee. Their presentation of the subject, of course, is more complete and much more authoritative than anything I have said. That committee has worked out a plan for a public employment policy which I believe to be a long step in advance of anything now in effect. There is one phase of the committee's plan, however, which is specially significant. Instead of a bipartisan commission, the usual form, the report would substitute a single civil service commissioner with an indeterminate tenure of office, the commissioner to be selected as a result of a competitive examination given by a special board. It is contemplated that this commissioner should be specially trained in matters of employment and should give all his

time to his office. The present commission, usually composed of three persons, two of whom are of the majority party, and one of the minority, has not functioned well in practice. They are usually wholly unfamiliar with the subject. And if it be a high-minded commission, it contents itself with permitting the secretary to do all the work. If it be not a high-minded commission, it hampers the secretary, sometimes to the extent of breaking

down the law itself. The most conspicuous part it plays in connection with civil service laws is frequently to be found in the budget. The annual report of one state commission shows that of a total appropriation of \$12,500 for the commission, \$7,500 was devoted to the salary account of the three commissioners. This commission regretted exceedingly that it had insufficient funds to employ a qualified examiner on full time.

THE MERIT SYSTEM AND THE COMMISSION

BY ROBERT CATHERWOOD

Former President, Cook County (Ill.) Civil Service Commission

MALADMINISTRATION of civil service laws in cities, which is almost nationwide at present, is due primarily to an inconsistency in those laws themselves. The defect is not newly discovered, for attempts to correct it, through better legislation, have been made as far back as 1909 and as late as 1923.

PRESENT LAWS INCONSISTENT

The fundamental inconsistency is this: The law provides for the establishment of an employment system based on merit principles, for the gradual creation of a staff of thoroughly competent city employees and for the direction of the work of this staff by the changing elective officials, who are, however, prohibited from dispensing patronage or from making dismissals without ascertained cause, though they may (as examiners) drop a new appointee at any time during a probationary period of from three to six months or, at the end of it on a mere assignment of reasons. In other words, the elective officials are to be restrained from destroying or breaking

down the system established by law; there are to be no more "spoils raids," but the work of the city is to be well done under the changing elective officials and their various political policies. The administration of this highly technical and important law is entrusted to the civil service commission.

Now, if such a law is to succeed, it is evident that the civil service commissioner, who is to administer it, must be an expert in employment problems, and the only known way of assuring the selection of a qualified expert is to put his position under the provisions of the civil service law in the classified service. Other non-elective or administrative officers are classified; but the civil service commissioner is not. All other higher officials must be selected on merit and fitness only, as ascertained by an open competitive test, but the civil service commission is freely chosen by the mayor. The commissioner does not hold his position during the period of efficiency and is not subject to removal on citizen charges, but holds during the mayor's

pleasure. In some laws a feeble attempt is made to compel the mayor to assign a cause for making a removal, but he alone is the judge of its sufficiency. The mayor's decision cannot be disputed or tested. Again, conversely, the mayor can protect an incompetent or dishonest commissioner and prevent his removal. It is no uncommon occurrence for a mayor to appoint a commissioner openly hostile to the law he is called upon to administer and it is usual and customary for mayors to choose persons who do not pretend to know anything about employment and who could not pass an examination upon the duties of a commissioner. Certainly a law which establishes an important and complicated employment system to be operated by an ignoramus, by an open enemy or by persons without pretense of qualification may be pronounced grossly inconsistent.

If the civil service system is good, when applied to administrative offices, then, it is good for the administrators of the civil service law. The blind folly of expecting the appointees of the party in power to restrain that party from using the patronage and spoils, and of expressly giving the party leader authority at any time to remove the restraining commissioner is the crux of the whole trouble. It is the exact equivalent of providing that the commissioner shall be dependent upon and subservient to the only power which can have the will and the means to break down or destroy the system which the act purports to establish. Growing an efficient civil service under such conditions is a precarious occupation. It depends upon the will of the mayor. He is restrained by a bond which he can break with a *beau geste* and the "reasons" given the public for removing a commissioner are not likely to be the real ones. The

authors of civil service laws should be willing to take their own medicine, for if civil service "is good for you" it must "be good for me."

A SINGLE COMMISSIONER IN THE CLASSIFIED SERVICE

When the civil service laws are examined in detail, it becomes apparent that the functions vested in the commission are of a purely administrative character. Why then should there be three commissioners, not more than two of whom shall be members of the same political party? Political considerations are prohibited in the work of the commission, yet the commission must be bi-partisan in its make-up. Moreover, there is a wealth of governmental experience, both at home and abroad, which may be summed up in the maxim: "Many heads for counsel, one for action." There has been very general recognition of the fatal disadvantages which accrue when a board of three or more persons attempts to conduct administrative operations. Counsel of many minds is no doubt desirable in declaring war and in deciding upon a campaign, but in the field there can be but one commander. The principle is recognized in civil affairs and in business organization, and it should have been recognized in the civil service law. The loss of money in paying three men to do the work of one, is a minor loss in comparison with the greater entailed by divided responsibility, delay and waste energy in bringing three minds to one course of action, the stoppage of business when conflict breaks out, as it frequently does, and the general inconvenience in office affairs which this clumsy and inapt device of a bi-partisan board everywhere produces.

Municipal civil service laws, if we want them enforced, should be ad-

ministered by one commissioner, himself in the classified service. The competitive test for his selection should be given, either by the state civil service commission, or by a special board of examiners named by some judge or court, from among persons experienced in employment matters. The law should indicate the general nature of this experience with some precision. The mayor and his appointees should have no part in the examination or in the selection of examiners. In respect to tenure, the commissioner should hold office only so long as he performs his duty faithfully and efficiently. Any citizen (and the mayor particularly) should have the right to file charges before a court or judge for the removal of a commissioner. If such charges show a *prima facie* cause for removal, it should be the duty of the court to name a special board of examiners, experienced in employment, to hear and finally determine the case. These are the provisions which have been partially adopted in Illinois, and they are believed to be correctives for the existing

conditions. Moreover, the commissioners themselves in the National Assembly of Civil Service Commissions have recommended classification of their own positions. Such provisions appear in Model Civil Service Law for States and Cities, published in 1915. In one of the debates on this provision the president of the Illinois commission said:

The civil service commissioners cannot serve both God and mammon. The public and the law call for honest administration, progress and development. The party of the moment either calls for nullification and a spoils raid or for a decorous use of spoils under colorable evasions and plausible excuses. Ours is a divided allegiance. On the one hand decency, honour and response to what we know to be the wishes of the silent public; on the other, gratitude to the man who appointed us and appreciation of his political difficulties, legal dependence upon him who may at a word dismiss us with or without honour. We shall know no security in our work until we are included in the classified service.

Commissioners may recommend and reformers may agitate and persuade, but action lies with the state legislatures.

CIVIL SERVICE REFORMERS AS ENEMIES OF GOOD GOVERNMENT

BY GEORGE C. SIKES

Chicago

THE proposal that civil service commissioners be chosen by so-called civil service methods and that they be subject to removal only on charges after trial by some independent agency seems to me unsound in principle and subversive of good government. I believe civil service commissioners should be appointed by the administrative head of the government, and that

they should be subject to removal at any time by the appointing power.

MORE BRAKES THAN DRIVING POWER

Conditions already are in a bad way in this country because of the extreme application of the check and balance theory and the division of power and responsibility among so many independent agencies of government.

There are more brakes than driving power. Many of the brakes are under separate control. The independent manipulator of any particular brake can stop the machinery at his own whim or slow it up very much. A large part of the time of the chief engineer or driver is consumed, therefore, in arguments with the manipulators of the various brakes over the question as to whether the machinery shall be permitted to go at all; if so, in which direction, and how rapidly.

No organization constructed on such lines—whether in government, business or any other field—can possibly function with real efficiency. The only way in which a complex organization developed on the check and balance and separation of power theory can be made to work at all is through a political “boss” who can order the various brakemen to co-operate in permitting the mechanism to run.

Our Revolutionary forefathers, in their desire to avoid abuses of government as typified by kingly rule, adopted the theories of separation of power and checks and balances as advocated by French doctrinaire political philosophers. The federal constitution was framed in accordance with those theories. There were practical reasons to justify the application at that time of some checks. Most progressive students of government agree, however, that even in our federal system the check and balance theory is carried too far, at least for present day purposes. But the federal government is a model of simplicity as compared with our local governments of to-day, excepting those cities organized on the manager plan.

Shortly after the adoption of the federal constitution, the American people began to reorganize their state and local governments on the basis of the federal model, without stopping to

inquire whether the federal model was the proper one for local imitation. Not only that, but the checks and balances and the separation of powers were even more numerous in the local governments. Cities ordinarily adopted the plan of a two chamber council, with an independently elected mayor vested with the veto power. In Baltimore provision was made for the selection of the mayor by an electoral college somewhat like that for the election of president of the United States. Going beyond the federal model, gradually provision was made in local governments for the popular election of many administrative officials. Independent boards, both state and local, were created to exercise various powers and to perform specific duties. The result has been the development of a complex, irresponsible hodgepodge of local governmental agencies that simply cannot be made to work satisfactorily.

There has been rather general recognition of this fact during the past quarter of a century or longer. The tendency is now away from complexity and irresponsibility and toward simplicity. The city manager plan, the most hopeful present day movement in the field of American government, represents complete abandonment of the check and balance and separation of powers theory, in so far as cities adopting that plan are concerned. Yet some civil service reformers, in advocating the appointment and removal of civil service commissioners by what they call civil service methods, are urging a return to the division of power among independent agencies of government that is contrary to the entire present day progressive trend.

NO GAIN FROM SCATTERING POWER

The passage of civil service laws is an indication of a public desire for

higher standards of administration. The machinery created for the selection of employes by competitive tests is an aid to public officials who want to give good service, and an embarrassment to those who desire to adhere to spoils methods. But to deprive the administrative head of a government of the power to appoint and remove the civil service commissioner or commissioners must tend to divide responsibility and to promote confusion.

When the people revolt against abuses and elect officials desirous of rendering good public service, those officials ought to be able to produce results. They are not likely to be able to do so, if control of employes is vested in a hold over spoils civil service commission that cannot be removed by the new head of the government. The most demoralizing situation that can exist is one in which the people cannot secure good government by voting for it.

It is delusive to think that the best results in the long run in selecting and removing officials like civil service

commissioners can be secured by vesting the power in scattered agencies. Such agencies are likely to be just as human and just as amenable to improper influences as the administrative head of the government. They act with less sense of responsibility to the public.

Good government is not to be had through the use of automatic devices that are supposed to work whether the people are awake or asleep. Dependence upon automatic devices is the worst kind of delusion. Those civil service reformers who urge the adoption of a system of selecting and removing civil service commissioners which is supposed to produce satisfactory results regardless of political conditions are really enemies of good government, even though they do not sense the fact themselves. I venture to say that most progressive students of political science—aside from those whose special hobby is civil service reform—are opposed to the proposal to have civil service commissioners appointed and removed by so-called civil service methods.

CO-OPERATION RATHER THAN PROTECTION IS THE PRIME FUNCTION OF CIVIL SERVICE

BY HENRY T. HUNT

Former Mayor of Cincinnati

THERE is an agreeable legend of a horse doctor who knew how to cure the botts. This able veterinarian became a physician and was amazingly successful with human ills. He inoculated all his patients, whatever their complaints, with botts, and then applying his method cured this disease, thus making a perfect record.

Political and industrial horse doctors, who have learned that co-operation between executives and personnel promotes economy, have discovered a cure as universal as that of the philosopher. This remedy can be applied with some degree of success to practically every case of federal and municipal *malaise* in administration. It

is far more effective than the old fashioned dosages of checks and balances.

Fattening political parties or personal ambitions at public expense is a wasteful departure from the true objective of public service and is, in a sense, an embezzlement of power. To prevent it, civil service laws have been enacted and policemen placed on guard in the guise of civil service commissions to restrain public executives from converting the trusts committed to them to their personal or party profit. Experience has shown, however, that it is difficult indeed to devise means to protect the public from a certain degree of exploitation by its servants without hamstringing these servants in their efforts to deliver the best possible service, at the lowest cost. If civil service commissions are placed beyond the power of executive officers to control, the personnel will look to the commission and disregard the officers. The commission will have little knowledge of executive plans and small sympathy. There will then be a loss in productivity, as the power of direction and the power to reward efficient and punish inefficient service will be in different and perhaps hostile hands. If the executive officers control the commission, it will become their captive and will only feel ardor when drawing its pay. Its performance of even protective functions will be indolent. It will find ways and means to get done what the executives wish. If these executives are building up their own power at public expense, the commission will condone their conduct. It is very natural that executives should attempt to get civil service commissions into a condition of dependence and subordination. The love of power is undoubtedly one of the strongest passions. After the executive has passed through the travail of nomination and election, it would be

strange indeed if he did not seek to solace himself by exerting all the authority he could reasonably claim. He has a mandate to accomplish what he has promised and to succeed, he must direct the personnel towards his objective. He finds himself hampered and restricted in his management by civil service laws and the commission. He seeks to make the commission his own and to require the personnel to look up to him and obey him.

HAS THE SPOILSMAN BEEN ROUTED?

Civil service commissions, speaking broadly and generally, have come within control of executive officers and are decidedly lethargic with regard to their protective functions. The committee's report sets out a number of instances of arbitrary exercise of power contrary to the spirit at least of the civil service act, which the commissions have acquiesced in. It has been demonstrated by experience that the civil service acts have not adequately accomplished their prime purposes of protecting the public service from spoilsmen. Perhaps instances of my own experience would be illuminating.

In the dim long ago, when I was mayor, we Democrats got Democrats into the jobs before the civil service act was passed. When the law came into effect, three men were appointed to the civil service commission who were devoted to the merit system. One of them went so far as to turn over his salary to the purposes of the commission. They employed an able examiner, held examinations for vacancies as fast as opportunity offered for the positions held by our early appointees, with the result that at the end of our term, practically all incumbents had been appointed after competitive examination.

When our successors took office, they were at first hard put to it to reward

their political friends by giving them jobs. The terms of the commission had been staggered so that all expired within the term of our successors. All commissioners were replaced by men devoted primarily to the welfare of their administration. At the end of two years, the personnel were convinced that the civil service law was a dead letter. The commissioners since have done little more than draw pay. As policemen to guard the merit system, they were ineffective. This result it would seem follows to a greater or less extent when appointments to the commission fall within the power of executives.

THE SINGLE COMMISSIONER

Under our committee's recommendations, the executive officer must appoint one of three nominees of an examining board made up of the superintendent of schools, an appointee of the executive and a third chosen by the two. Under this proposal, there is at least a fair chance that men certified for appointment to the office of commissioner will be of sufficient character not to be controlled by anyone. There is sound sense also in the proposal that there be only one commissioner instead of a board. The salaries of the board members, if added together, will be sufficient to command the services of an expert in personnel administration. His full time will be applied to performing the duties of the position and to promoting successful and efficient relations between the personnel and the executive. His reward in the shape of prestige and reputation will be obtained by performing his duties to the public rather than by services to political organizations. He will satisfy his ambition by increasing the economy and efficiency of the public service. Service of this kind will not be hidden under a bushel.

A large number of industrial companies have had great success in cultivating sound personnel relationships and have achieved this success by the aid of experts trained in that field. In the main, men who devote themselves to work of this nature are social rather than acquisitive and obtain their satisfaction in life rather through the consciousness of having been of benefit to society than by piling up riches. This type usually possesses a strong sympathy with their associates and an appreciation of the incentives to action. There is now a considerable body of qualified experts available for municipal service under fair conditions.

A civil service commissioner appointed in the manner suggested by the committee might well be expected to be an individual who would realize the difficult administrative duties imposed on the executive, and would know how to reconcile the accomplishment of these duties with reasonable satisfaction to the rank and file.

SERVICE AND REWARD

Public employees are entitled to stable employment conditioned on the intelligent performance of their duties. When they feel that a routine and detached performance is sufficient, the public service suffers. It also suffers when they are convinced on the facts that able service brings no reward. It is unreasonable to expect a board to keep in touch vigilantly with individual employees and their work. Furthermore, it is often difficult to convince a majority of a board that a particular employee deserves promotion. Each member will have his own judgment based on his own information or will have a personal ax to grind. Log rolling will then come into play.

Public executives, like the rest of us, prefer to live up to even the spirit

of the laws when not in conflict with our desires. It is wisdom to so arrange matters that they will wish to obey the civil service acts, and make them work. So to modify these laws as to make their operation an aid to the objective of practically all public executives is sound procedure. This objective is, broadly, economical provision of adequate service. Whatever removes cumbersome checks and gives the responsible head power aids in the accomplishment of this objective.

Classification of employees, sound examinations, judicious certification

and many other elements in civil service help the executive and are in line with successful personnel technique outside. It remains to substitute constructive functions for the negative and merely protective duties of the commission and to replace the cumbersome board with an alert officer supported by the prestige of adequate pay and by prospect of accomplishment.

The avenue toward making civil service a career, and thus reducing its cost and improving its quality, is in the direction of the committee's recommendations.

THE PERSONNEL FUNCTION IN THE PUBLIC SERVICE

BY ALLEN M. RUGGLES

Service Examiner, Wisconsin Civil Service Commission

THE writer was especially pleased in the report of the committee on civil service to note the emphasis placed on the personnel function of a civil service commission. The statement was made several years ago by Richard Feiss that "The question of personnel must ultimately be considered the real problem of business management." This statement was, however, followed up by another to the effect that the real problem of scientific employment begins after the act of hiring has been completed.

To-day the value and significance of the personnel function in private business is no longer a debatable question. A suggestion of this is found in the increasing number of colleges and universities offering employment and personnel courses. Among such institutions are Columbia, Dartmouth, Carnegie Institute of Technology, Harvard and Bryn Mawr. In the

bulletin of Carnegie Institute of Technology the following courses are among those listed: vocational psychology, personnel administration, employment practice in industry, and administration and method of training employees. May the day be not far distant when among such courses there may be a demand for one in employment and personnel methods in public service.

The motive force of any business is furnished largely by its personnel. As is the tone of the employees, so is the tone of the organization as a whole and of the service it renders. Business-like methods cannot be veneered over an organization. They must be embedded in its heart. They must find expression in the abilities and interests of animated and fit employees. This would seem to hold even more true of public service than of private business. In private business, it is usually a

material commodity that is sold for a given price. The success of the business is measured in terms of the dollar. In public business, the *Service* of the employe is the commodity which is largely the most important factor. A well selected, efficient and trained personnel means satisfactory service and thus the success of the business of government. This applies to all from the humblest employe to the administrative officers.

The commission with a vital interest in matters of personnel administration can find many ways of advancing the principles for which it stands, even though its appropriation may be small. There are always those ready to co-operate, when such co-operation means better service. Two parties are by virtue of their position vitally concerned with the success of the work or service of any department. One is the department head, the other the civil service commission which furnishes the real motive force of service to the department in the *certified* employes—certified to be efficient and to be able to meet the requirements of the department. Under such conditions and with a real personnel administrator's point of view, the interest cannot stop with the act of certification.

The writer had a part in the organization of the personnel work of the Wisconsin civil service commission—a work that was started under the administration of the late John A. Hazelwood, as secretary of the commission. As illustrative of what may be done in this field in the public service, the training courses organized by the commission have been chosen for presentation. At the outset it should be said that one of the most encouraging aspects of this work was the splendid co-operation secured from department heads and employes. When this is considered, what has been

actually done seems insignificant compared with the possibilities with this sort of co-operation.

HELPING THE EMPLOYEE

Four different types of endeavor along this line will be indicated as suggestive of the possibilities in such work in public service.

1. Series of talks of an inspirational and educational nature.—The following series given during the winter months is illustrative. Extracts from the announcement will sufficiently suggest its nature. From the heading: "Know the business of which you are a part." "Be able to talk intelligently on the state's activities." From the body of the announcement: "The Wisconsin civil service commission is offering to state employes a practical course in state government, consisting of talks on the activities of the public business of Wisconsin. These talks will be given in the assembly chamber from 4.30 to 5.30 on the dates indicated. The activities of each department will be presented by one or more of the officials of the department."

2. Talks and courses by experts in the service.—Two such courses are here given: a course for secretarial clerks and those in line of promotion, and another for statistical clerks. The former course was organized and conducted through the co-operation with the writer of six statisticians from different departments of the service. Each gave two talks. In the first he presented the theory of his phase of the subject, and in the second showed the practical application of the principles in the work of his department.

For the latter course, a list of the subjects and speakers will serve better than any description to indicate the type of co-operation received in this work. These talks were given without cost to the commission.

SECRETARIAL CLERK COURSE

Personality, System and Progress in the Office, Charles McCarthy, chief, legislative reference library; The Background of a Government Office, E. A. Fitzpatrick, secretary, state board of education; How to Become a Successful Secretary, Carter Alexander, assistant superintendent of public instruction; Correspondence That Is Effective, E. H. Gardner, professor University of Wisconsin; Modern Office Equipment (Illustrated), John Steven, assistant examiner, civil service commission; Psychology for the Office Worker, Daniel Starch, professor University of Wisconsin; Short Cuts and Devises, B. A. Kiekhoefer, secretary, state board of public affairs; Office Organization, A. P. Haake, instructor University of Wisconsin; Office Atmosphere, Stephen W. Gilman, professor University of Wisconsin; "Opportunities for Those of Secretarial Ability," John A. Hazelwood, secretary, civil service commission.

Mimeographed copies of the talks were made and given to each member of the class.

3. Regular courses with university extension credit.—These were offered in such subjects as statistics, correspondence, and filing and indexing, and were given at the Capitol from 4.30 to 5.30, half on the state's time and half on the employe's time.

4. Intensive co-operation with a single department.—The engineering department and the civil service commission working together organized a rather intensive personnel work with the employes of the state power plants. This work centered around the annual school for state power plant engineers, held at Madison, to which the power plant engineers in the service were sent at state expense. The effect of this

work on the morale and efficiency of the engineers has grown from year to year. This work has been maintained for seven years. (See *Industrial Management*, February, 1918, for details.)

Inasmuch as the writer has seen the possibilities of personnel work in the public service, has had fortunate experiences in securing co-operation in such work, and thoroughly believes in the value of personnel activities, he is naturally gratified to see the emphasis placed upon the personnel function by the committee.

The committee raises the question as to the make-up of our civil service commissions, a point that has special significance in connection with the organization and maintenance of a constructive employment and personnel program. So long as appointments to the commissions are made for political reasons, the carrying out of such a program is largely a matter of chance, depending upon the interests, experience and training of such appointees. If changes in the law would insure that the personnel of the commission be composed of men with a real interest in employment and personnel problems, and with such training and experience as would make them actively helpful and constructive in the work, such change should be made. Then let us welcome a frank discussion of the make-up of our commissions, with the commissioners themselves taking an active part in such a discussion. Those of us who are keenly interested in civil service need not hesitate to admit its weaknesses when we have a broad constructive program for its development. Both its weaknesses and possibilities should be discussed with frankness. Such an attitude will put civil service more solidly on the businesslike basis where it rightfully belongs.

REPORT ANALYZED BY A CHIEF EXAMINER

BY CHARLES S. SHAUGHNESSY

Chief Examiner, Civil Service Commission of Philadelphia

THE following comments are made with a full appreciation of the committee's work, which has stimulated much thought and discussion. However we may differ from the sentiments expressed, there is bound to result a better understanding of the problem of public employment and a clearer definition of the functions of civil service commissions.

The committee has painted a rather gloomy picture of the civil service in our cities. The report states very emphatically that, in the main, the commissions are acting as a negative employment agent—ineffective even in this—and are failing to embrace the newer methods of employment management. Some of the more important defects mentioned are: lack of administrative control and division of responsibility for same; lack of both experience and political independence on the part of the commission itself; restrictions in the activities of the commission through lack of appropriations; unnecessary number of provisional appointments; failure to utilize the probationary period for dismissals; too few transfers; failure to dismiss inefficient workers; failure to install or administer service records; failure of co-operation between the commission and other departments; failure to afford counsel in salary determinations.

CRITERION NEEDED

A critical study of the report shows at once the importance—and even the necessity—of having some criterion of commissions' work; something that will evaluate their actual performance in the light of their facilities, their

authority and responsibility. There is a great difference in the functions of commissions; some are purely examination bureaus, largely confined to open competition; others have taken on promotion activities including the supervision of service records; others are doing all of the above in addition to advising on salary appraisals, acting as trial boards or appellate boards in the matter of discipline. There is an inclination—and I believe it is discerned in this report—to measure the quality of a commission's work by the extent of its activities. I believe that any commission whose work is confined solely to one aspect of the problem, such as examinations which are conducted on a high plane, is functioning more effectually for the public good than one whose work is spread over a great number of activities, some of which are perfunctorily done. Nor can we measure that quality from annual reports. These no doubt give us some isolated facts that are indicative but by no means complete as to character of work. It appears that there is only one way to secure an intimate picture of a commission's doings and that is by an actual survey on the ground; actually seeing or taking part in their examinations; observing methods of administration; noting the extent of public support and lastly acquiring a knowledge of the character and intelligence of the recruits. In other words, the equation reduces itself to three factors, namely, political complexion of the jurisdiction; public support; stage of development of civil service technique. This is no small task, perhaps prohibitive,

unless funds are available for the purpose.

The whole content of that portion of the report under the caption "The Status of the Municipal Service" is a discussion of the failure of commissions to carry out constructive policies and of the general retrogression of the service. If it were not for a few bright lights in the firmament, one might very well question the advisability of supporting an agency so utterly futile.

In the first place it should be understood that neither our civil service laws nor public opinion will justify the control of the personnel by the civil service commission, or even joint control with department heads. It should be stated here that a great number of the above defects are directly chargeable to the administrative officers themselves. Such matters as failure to utilize the probationary period for dismissals, transfers, etc., are very properly outside the positive jurisdiction of the commission. The responsibility for the retention of incompetent employes must rest with the department head and any interference with, or division of the responsibility, will react to the detriment of the service.

As to the matter of co-operation—which is one of the important points stressed in the report—and which is universally conceded as a necessary accompaniment to good administration, there are two parties to this operation and unless both are willing to come half way and play the game fair, complete success is impossible no matter how much one of them is desirous of co-operation. One of the outstanding factors in public service that has militated against co-operation is the habit on the part of a great number of department heads of shifting an issue to the civil service commission. The latter seems to be a very

convenient target for some administrators. The remedy of this condition of course must lie in public support which will make its influence felt upon the chief executive and his official family.

THE ANALOGY OF PUBLIC AND PRIVATE EMPLOYMENT

Probably the next factor to which we should give attention is the basic criterion which the committee establishes, *i.e.*, complete analogy of public and private service. This criterion is the crux of the report and it is necessary that we come to a common ground regarding it. Public service, while having some points of similarity, must ever differ from private industry in objectives and in many major problems of management. On the one hand we have the objectives of improved government service; on the other, the profit motive to which the committee has referred. Again we have the problem of political circumvention as one of the commission's functions against the freedom of same in private industry. These differences alone are sufficient to engage the greater part of the attention of civil service administrators at present and for as long a time in the future as we can see. We must reckon with public opinion and make the molding of it one of our primary functions at all times, while private industrial managers generally give no attention to it whatever. One of our fundamental and primary duties is checking the wiles of politics—a rather strategic business at times. In this country we have been seriously engaged on these phases, *i.e.*, improving the service, securing public confidence and check-mating politics, for the past forty years and all indications point to our being pretty busy at them for some time to come. Until we can attain these objects as a foundation plan, all attempts

to control the personnel administratively, in my judgment, will be futile.

We are not willing to concede that all activities of service control are negative except those of administrative character. In my judgment, the most important and pressing work of this day is recruiting and selecting. Matters of attracting desirable persons, while affected by broad administrative control, are the first essentials to service improvement and economy. There have been great advances and a large amount of work done in the improvement of examination methods and standards, all of which is positive and constructive.

It is especially significant in this connection that private industry is at this time giving considerable attention to selective tests. We are infinitely more concerned about securing public confidence through high-grade recruiting and selecting than any other function the civil service commission may assume at the present time. Whether we will or no, much time of the present administration of civil service is perforce put upon recruiting, conserving integrity, job analysis and improving standards of examination. In other words, we should clear up and bring to a maximum point of efficiency the original intention of the civil service law and thus build the whole service up from the bottom.

It is certainly true that much improvement can be made in the selection of commissioners as well as in the securing of public support for greater appropriations; notwithstanding these deficiencies, it must not be overlooked that the tone of public business as to efficiency, economy and morale, has been greatly elevated through recruitment and selection.

RECOMMENDATIONS OF THE COMMITTEE

In dealing with the recommendations it seems to me that we must view them

in the light of actual conditions and problems that are met in practical administration. A single commissioner, sincerely appreciating the merit system, competent in employment administration and of a character to administer civil service laws judiciously and forcefully, may be very desirable. There is no doubt that in jurisdictions where a high public support has been built up, the single executive might at times be a great improvement over the present plan.

The position of commissioner will undoubtedly be on full time, in which legislation and judicial proceedings must be carried through. He is to have supervisory control of the complete employment program from recruiting to dismissal, in co-operation with department heads.

If we were free to go to the open market to select such a man with the salary usually attaching to the position of head of a city department, it is very much to be doubted that he could be secured. Whatever the market affords in this direction is immediately corralled for private industry and with a much higher salary. While we have many private employment managers, few would qualify under our specifications because of their lack of experience in public service which seems to me to be one of the fundamental requirements. This is of course assuming that the examining board, selected for the purpose, would endeavor to secure the very best men to be had. If the examining board was not entirely free—a possibility always to be counted upon where the chief executive really names one-half of the board—there would undoubtedly result a selection in sympathy with the chief executive. The committee's reason for giving the chief executive a hand in the selection of the board is that there should be someone who is not unresponsive to the executive head. We do not see

that responsiveness or unresponsiveness to the chief executive has anything to do with the ability of the man to fill the position. It may be found that the result would show too great a response to the chief executive and thus there would be no improvement over the present way of choosing commissioners—in fact, it would be likely to carry with it even worse conditions than we have at present.

Again it seems to me, where legislation has to be enacted and interpretations and applications of laws are to be made, various points of view are necessary. Those who are acquainted with the deliberations of commissions will appreciate the fact that the results are much more judicious and meritorious where we have certain balancing points of view. Moreover, it is impossible, in my judgment, for one man to adjudicate the various elements that should be taken into consideration in applying the civil service laws in the public interest. The chances of success with a single head are exceedingly remote, especially if selected in the way recommended. It seems to me that the plan of appointing the three commissioners for long and overlapping terms has worked well. The idea of a commission with one executive and two associates, the latter carrying small salaries, and called in occasionally to legislate and pass upon questions of policy represents a distinct forward step.

CENTRALIZED EMPLOYMENT SUPERVISION

We have noticed a recent change in the attitude of a great number of private employers in the matter of centralized control. It has been merging into what may be termed a joint control between the employment manager and the head of a department in all those matters concerning discipline

and production. In matters of hours of employment, transfers, pensions, etc., there is an almost uniform practice of vesting these with the employment department. In a great number of the firms of the Philadelphia district the hiring is done by the employment manager and dismissals are made by the immediate supervisor, a rather analogous procedure with public service, except in the case of the police and fire departments—which must be considered by themselves—and it does not appear that this plan has worked very badly. In the case of police and fire services, however, subjected as they are to political and other pressure, I believe it to be a great step forward to have dismissals and disciplinary measures vested with the civil service commission.

It does not appear that the time has arrived for the civil service commission to recommend anything but an advisory service in the matter of salary appraisals. If the service is graded for all positions and the control of the grade itself is left with the commission, which is more or less related to salary appraisals, it seems to me that is as far as the commission should go at the present time.

There is one other consideration to which attention should be invited. A large part of the report is predicated upon the fact that all improvements suggested must form the basis for public opinion which itself will bring about better recruiting. Here again it seems the committee errs as in the premises which form the basis of their recommendations. While one reacts upon the other, it seems to me that the task nearest at hand is to build up from the bottom by improving the recruiting and selecting methods. Then the extension to administrative matters would come in such proportion as public opinion would justify.

ONE COMMISSIONER OR THREE

BY CLINTON ROGERS WOODRUFF

President, Philadelphia Civil Service Commission

"MANY heads for counsel; one for action." This is another and a popular way of saying: A board for policy determination (legislation); a single official for policy execution (administration). It is quite easy to set forth a general principle of politics, but a somewhat different, and usually a most difficult matter to apply it in practice. It is that difficulty which confronts us in determining the question of whether a civil service system should be applied by a commission or a commissioner. With a blitheness and a finality that savors of the commencement season, Dr. Mosher's committee on civil service recommends a single commissioner, with an indeterminate tenure of office. One has to seek elsewhere than in the report itself for any careful reasoning in behalf of this recommendation.

ARE ALL POLITICAL QUESTIONS DECIDED?

A commission, which has no political questions to decide and which is out of politics, and which has a system defined by statute and rules, is in the view of the advocates of a single commissioner a purely administrative concern. If it were not that we actually have a commission of three they say there could now be but little argument on the question of one commissioner being better, "so overwhelming is the weight of authority in favor of single headed departments of government and of business, too."

In this latter sentence we have the same note of finality, which seems to be an outstanding characteristic of the proponents of the single commissioner

idea. This statement occurs, however, in the same paragraph with the statement that "a commission which has no political questions to decide and which is out of politics, and which has a system defined by statute and rules. . . . is a purely administrative concern," which is tantamount to saying that if the application of a civil service law is only one of policy execution, then a single commissioner will suffice. How many commissions have no political questions to decide? How many commissions are out of politics, that is, do not have to take into consideration partisan political questions? How many commissions administer a system defined by statute?

Most of the civil service commissions, and certainly the one over which I preside, have the power to make rules and regulations which have the force and effect of law. It is important, therefore, if not imperative, that the commission should be a commission and not an administrative officer. In other words, if the commission had nothing to do but enforce rules and regulations already made by some other body and had none other than administrative duties to perform, there would be much in favor of the single commissioner idea. So long as the commission exercises legislative duties, the argument in favor of a commission of three is compelling, if for no other reason than on the principle of the old maxim already quoted "Many heads for counsel, but one for action."

It is also argued that the words "policy" and "administration" should be used in the British sense, that is if

the function created by an act is political it goes to ministers and if administrative to permanent civil servants—*i.e.* matters which are dealt with by the cabinet and those relegated to departments. This argument gives a narrower definition to “politics” and a broader definition to “administration” than are justified in this country or in connection with the application of civil service systems in this country. We are not nearly so far developed in America in drawing so definite a line between the two as is England with its older and better established affairs. Nor is the application of the civil service system so general or so far advanced. To attempt to apply British methods here without the British traditions or environment, is to force the pendulum too far to the extreme. Swinging a pendulum too far either way is more dangerous than if the pendulum went not at all.

AN ILLUSTRATION

From my personal experience on the Philadelphia commission, I am convinced that many, if not most, of the questions with which we have to deal involve matters of policy. To illustrate: At each examination we must determine whether it shall be confined to residents of Philadelphia or thrown open to those from the state or the country at large. That involves not only a determination of the condition of the local and general labor market at the moment, and which it would be difficult to classify, but whether it would be wise as a matter of policy. At the beginning of our term of office, I was asked at a public hearing if I believed in filling positions with the best qualified irrespective of their residence. To which I replied, “Certainly, but we are not yet ready in this jurisdiction to apply that principle in the present state of public opinion.”

In other words, there were other policies more important to establish at that time. As a matter of fact, we have thrown open a number of examinations to residents of the United States, including that of chief examiner of our own commission. Indeed, in certain cases (the internes in the hospitals and nurses) we have thrown them open to the citizens alike of the United States and of other countries. In determining these questions, I submit we were determining matters of policy, not of administration. Having decided these, the holding of the examinations was a matter of administration and was so treated, being left entirely in the hands of our chief examiner.

From time to time it must likewise be decided whether an examination shall be an open competitive one or a promotion examination. Our general policy is to fill the higher grades by promotion; but there have been times when we decided to throw them open to all comers, as in the case of our chief examiner, to which reference has already been made. These are certainly questions of policy. Then we have to determine whether an examination shall be assembled or non-assembled. This again is a question of policy.

We have just had to decide upon holding another examination for patrolmen. This involved sundry problems of policy: Ought we establish another list so near the end of our term of office? Ought the standards of height, weight and age be changed? (Earlier in our administration we had to determine whether we would apply the Wasserman tests to all such applicants.) It may be that Dr. Mosher would deny that these and the other problems I have mentioned were not questions of policy. From my study, observation and experience, I believe in the present status of the

movement that they are. Dr. Mosher does not even take the trouble to consider the underlying questions involved. *Ex cathedra* he and his committee announce that they are for a single commissioner without taking the trouble to establish their right so to do. The present secretary of the National Municipal League much more nearly touches the point at issue when he says:

The line between policy and administration, while difficult in theory, is not so difficult in practice. An intelligent city council and a fairly capable city manager will usually get along pretty well together. The reason I like the city manager plan is that if this is not the case it can be easily remedied without a continuation of the situation such as you have in Philadelphia to-day between the mayor and the council.

My feeling is that if we adopt the principle of the single executive, whether a mayor or city manager, the continuance of administrative boards is unnecessary. Where there are legislative or judicial functions to perform, as in the case of the interstate commerce commission, the function ceases to be purely administrative. The board comes under the eye of the legislature in a way such as a purely administrative board does not.

Now where does the civil service commission fall? If it is primarily administrative there is no reason why it should be a board any more than the mayor himself should be a board. If it is legislative or judicial it should be a board. However, there is this to be said, that the functions of the civil service commission are concerned with relationships within the administration while the usual quasi-legislative-judicial board is concerned with relations between the government and outside citizens. Herein lies my difficulty and the reason I am inclined towards the experiment of a single headed civil service commission. For political reasons it may be well to continue the three member commission, but if we do so I should want to see the jurisdiction of the two associate members clearly restricted to the broadest questions of policy.

THE NEW YORK REPORT

This latter view is that held by Colonel William Gorham Rice, a veteran civil service commissioner who

has abundantly earned the right to speak with authority:

My feeling is that for administrative work a single commissioner is sufficient. For legislative and judicial work, a commission of three is desirable. Provision that in the latter field two part time commissioners should meet with the one who was in constant contact with administrative activities, would seem to be a reasonable plan.

Of course it is somewhat difficult to determine just what work falls outside of the legislative and judicial. The report of the reconstruction commission on retrenchment and reorganization of the state government of New York, submitted October 10, 1919, made recommendations in this matter. I quote from the summary, page 220, as follows:

"1. There will be a department of civil service. At the head of the department will be a chairman designated by the governor who will receive an adequate salary and will be solely responsible for all of the administrative work of the commission.

"There will be two additional commissioners on part time who with the chairman will constitute a board which will meet once a week to pass on quasi-judicial and quasi-legislative matters. The two additional commissioners will receive a nominal salary and traveling expenses. The three commissioners will be appointed as at present."

The chairman of this reconstruction commission was Judge Abram I. Elkus, and among the members were Dr. Felix Adler, Bernard M. Baruch, Mrs. Lewis S. Chandler, Mrs. Sara A. Conboy, Michael Friedsam, Gerrit Y. Lansing, V. Everit Macy, George Foster Peabody, Charles H. Sabin, Mortimer L. Schiff and Charles P. Steinmetz.

OTHER STATES

The general laws of Massachusetts (for 1921, chapter 31) recognize this difference, providing for one commissioner who does the administrative work, and then a board composed of the commissioner and two associate commissioners who give the various hearings and make rules and regulations. The commissioner gives substantially all of his time to the work. I think the proposed state civil service

bill for Pennsylvania contained a similar provision. These provisions recognize the necessity of a board or commission for the determination of policy. Where there is no such provision, the same tendency is to be noted in the fact that the permanent officials,—the chief examiner and the chief clerk carry out the administrative work, with a minimum of interference from the commission. Indeed, practically only such interference as is involved in an interpretation of the law and regulation and the determination of those features which, for one, I consider matters of general policy. It must not be overlooked that one of the important functions discharged by commissions is the making of rules and regulations. Even though the general outlines of these may be determined, there are still many questions of policy to be settled by the commission, and when settled they have the force and effect of law.

TOO MUCH POWER FOR ONE MAN

I have been much interested in the opinions of those to whom I have submitted the single commissioner idea. The men with the most experience, either as commissioners, or attachés of commissions, or as executives of bodies dealing with civil service questions, have been substantially in favor of the commission idea as opposed to the single commissioner proposition. The opinion of George McAneny, long secretary of the National Civil Service Reform League, later secretary of the New York city commission and a public official of long and faithful experience, is typical:

Personally, and as the result of such experience as I have had, I am convinced that there should be a board of not less than three members in charge of any civil service jurisdiction. The functions of a commission not only in the making of regulations, but in the construing of both

regulations and law, are quasi-legislative; and a commission having authority in the matter of police and fire trials may certainly be said to be quasi-judicial. I have never believed that powers of this sort should be entrusted to one man. While there are, of course, administrative functions to be performed, that phase of a commission's work is more or less mechanical, and not comparable in importance to the broader functions of judicial determination.

Another student with long experience with critical and constructive organizations of various types (Lewis Mayers) declares that his general criticism of the single commissioner recommendation is that it contemplates so radical a departure from existing practice and tradition that its recommendation is likely to seem more like the expression of a pious wish than the promulgation of a practical proposal for immediate adoption. Assuming, however, he says, that the committee is seeking the ideal plan of organization regarding less of its prospects for immediate adoption,

I find the prospective advantages of the proposal rather weakly and inadequately argued, while the obvious objection that it vests in a single politically irresponsible individual, a vast power of control and regulation over the remainder of the administration, is not even so much as mentioned, much less met. This objection would have all the more force in the light of the committee's recommendation that the right of appeal in disciplinary matters lie to the personnel authority. It is hard for me to believe that a single individual, no matter how selected or how competent, could long wield such powers in the average municipal government without raising up so enormous a body of opposition among the administrative officers and the subordinate employees—a large portion of which would speedily be transmitted to the electorate—as to compel his retirement, not to speak of its making impossible long before that “close co-operation with other administrative heads” which the report emphasizes, and correctly, as of primary importance.

In stressing this, Mr. Mayers brings out a point of paramount importance,

one which is entitled to separate consideration at length. I quote it here not only that it may be borne in mind in the careful consideration of the questions involved, but likewise to illustrate the meagerness and incompleteness of the Mosher report. In the matter of argument and reasoning, needlessly diffuse in its discussion of

alleged conditions, it is insufficiently specific in constructive details and almost lacking in substantial reasoning. I have referred to the report by the name of the secretary of the committee, as I find it difficult to credit that some of those whose names are attached to it could have participated in its actual formulation.

HAS THE MERIT SYSTEM GONE TO THE DOGS IN CITIES?

BY FRED TELFORD

Bureau of Public Personnel Administration

THE report of the Special Committee on Civil Service of the National Municipal League will meet with a hearty reception in many quarters and be widely quoted. To those uninformed in civil service matters—and such constitute all except an insignificant percentage of our citizenship—the names attached give the numerous pronouncements great weight. The effect of the report is heightened by the authoritative manner of presentation. Many will derive entertainment from the lusty whacking of heads; unfortunately even the best of us are so constituted that we like this sort of thing. Others who desire to have complex problems “settled” once for all will take delight in the positive conclusions reached by the committee. Those who are unfriendly to the merit system as worked out in the public service, and particularly those who for one reason or another find it expedient to render it lip service only, will of course quote the document with inward glee though with outward solemnity.

Only an exceedingly venturesome person would for an instant consider disagreeing with the committee's re-

port. I have been selected to present the opposite view because, I presume, I am such a temerarious individual. Civil service administration, however, like religion and politics, is a subject upon which conscientious persons may disagree. Not only is there no body of accepted facts but there are no accepted standards to measure performance and results. I am moved therefore to ask just how true and typical are the facts the committee alleges to exist; how cogent is its reasoning; how fundamental is its analysis; and how helpful are the remedies it proposes.

HAS GOVERNMENT ADVANCED AS AN EMPLOYER?

First, what about the committee's facts? On page two of the typewritten copy of the committee's report furnished to me by the editor of the NATIONAL MUNICIPAL REVIEW I find these assertions:

Progress has been made in the war and post war period by only a limited number of governmental jurisdictions in accordance with the principles of modern employment management. . . . We may go even further

and assert that instead of making progress the government has been retrograding as an employer in the crucial years under consideration.

When I recall conditions as they existed in 1913, the time when I began to look at civil service administration from the inside, this seems an astonishing statement. I remember that the then new idea of a duties classification of positions was not only distinctly on trial in a very few jurisdictions but the really excellent classification plans in effect were all but lost in a forest of verbiage. I remember that the term "salary standardization" was hardly needed because the idea was almost unknown. I remember that the idea of having the civil service commission take a prominent part in the preparation of estimates for personal services was seldom considered. I remember that the Illinois commission with much fear and trembling finally decided to try out the new fangled intelligence tests in an examination for messenger but declined to use the results in making up the ratings or to repeat the experiment. I remember the immense pains we were at to check pay-rolls from inadequate 3" x 5" cards and our attempts to "advance" to a par with the commissions using bound books; the real solution, visible indexes, was still five years in the future in the period of "retrograding." I remember that the actuaries were just beginning to point out that our pension systems in the public service were unsound and that their words fell on deaf ears. I remember that the United States civil service commission had recently convinced itself that there was real merit in non-assembled examinations and was discreetly talking about the new plan to be initiated. I remember that in civil service meetings whole sessions were given up to discussing whether high paid positions whose incumbents had nothing to do with policies might

with safety be included in the classified service. I remember that Mr. Doty had just gone from Wisconsin to the Pacific Coast to begin there the operation of a civil service demonstration station and that Mr. Messick, then unknown to civil service fame, was plugging away in New Jersey never dreaming that the doubting Thomases in the legislature and the independent voters would within ten years extend the system to 80 per cent of all the public employees (excluding teachers) in the state. I remember that the merit system was on trial or still a matter of academic discussion in numerous jurisdictions where it is now an established fact. Yet, according to the committee, "progress has been made by only a limited number of governmental jurisdictions" and "instead of making progress the government has been retrograding as an employer in the crucial years under consideration."

CONTACT

All this, however, may be of no consequence; my memory may have played me false. But turning to page ten of the latest revision of the report, on the desk before me as I write, I find these equally astonishing assertions:

Lack of contact is also the chief cause of the retention of old style examinations. Without first hand observation of the work, it is obviously impossible to formulate other than blanket examinations of the old fashioned type.

Here, in the brief compass of four typewritten lines, the committee makes two fundamental errors with regard to civil service administration as it is carried on to-day. First, consider the alleged "lack of contact." Most civil service commissions maintain a complete roster of employees in the classified service, showing every change in status, made up from reports furnished currently by administrative officers.

The operating officials, however, sometimes find it convenient not to make reports; therefore, as the committee points out elsewhere in the report, most commissions in large cities supplement this information by checking and certifying pay-rolls before salaries and wages are paid—the most effective method human ingenuity has yet devised to give the central employment agency complete, reliable, and up to date information with regard to actual employment conditions.

The committee may—probably does—regard such “paper” knowledge as wholly unsatisfactory, though most of its own information with regard to the work of city civil service commissions confessedly comes from questionnaires less reliable than pay-rolls and reports of administrative officers. Commissions in the larger jurisdictions, however, have means of supplementing their “paper” information. Just how effective these are I have learned first hand from recent visits to large and small commissions. It is my practise to make appointments in advance of my calls; yet I always have difficulty in getting the information I desire because I find staff members actually making the “direct contact” whose absence the committee deplures. In one office, for example, where I arrived by appointment about the middle of the afternoon, I found that one staff member was in the field making investigations, while my conferences with another were interrupted by personal calls from one institution head, one department head, and three other administrative officers of lower rank; in addition there were two long distance and a steady stream of local telephone calls from administrative officers. I took occasion to observe the work of those checking pay-rolls and with my own ears heard still other administra-

tive officers called by telephone to explain apparent irregularities. With my own eyes I saw the suggestions of administrative officers with regard to proposed examinations. Everywhere I go I find similar conditions. I can account for the committee’s falling into this curious error only on the assumption that the members never took the trouble to observe first hand how the civil service commissions in our larger jurisdictions actually operate.

BLANKET EXAMINATIONS PASSÉ

The committee’s second fundamental mistake in these four typewritten lines—with regard to examinations—naturally follows from its error as to the relations existing between commissions and administrative officers and from its failure to become familiar with the examinations actually held. We may not be sure just what the committee means by the words “old style,” though the use of the term “scholastic” in an earlier version throws some light on the subject. In referring to “blanket examinations of the old fashioned type,” however, the committee shows an amazing ignorance of or disregard for the uses to which the duties classifications recently developed have been put. In the last ten years nearly every large jurisdiction in this country which has a civil service commission has worked out and put into effect, either formally or informally, a duties classification which establishes a large number of classes of positions for which separate examinations are held (the federal government and the state of New York, the two outstanding exceptions, are now in process of working out their classifications). The approximate number of classes, each requiring a separate kind of examination, in a few jurisdictions working under a duties classification are as follows:

City:	
Chicago.....	900
Milwaukee.....	500
Minneapolis.....	500
St. Louis.....	600
St. Paul.....	400
San Diego.....	375
Detroit.....	250
County:	
Los Angeles.....	350
Essex (New Jersey).....	225
State:	
California.....	225
Illinois.....	425
Massachusetts.....	550
Ohio.....	350
Federal:	
Canada.....	1,700

As a matter of fact, "blanket examinations of the old fashioned type" are now practically passé. As the committee itself says in the third paragraph of the report, "much credit is due the employment agencies of government for the development of the examination as a means of selection." Duties tests and physical tests came into common use even ahead of the duties classification; and performance tests for the skilled trades were well developed before the war brought to attention the army trade tests. Recently civil service commissions have seized upon intelligence tests for use where duties and performance tests are not suitable and the United States and other commissions have spent thousands of dollars in adapting them for civil service purposes. Moreover, a system of exchange has been developed by which even the very weak and small commissions have actually taken advantage of the advances made by their stronger fellow workers.

I might go on at great length pointing out example after example of the committee's failure to secure the facts as I have seen them in my recent visits to civil service commissions or as I have painstakingly gathered them through

correspondence. However, let that pass. For present purposes I am willing to assume that every statement alleged by the committee is gospel truth. But what about the interpretation of these "facts" as given?

TRANSFERS

Again space permits the discussion of only a few examples. On page twelve of the typewritten report in my possession it is stated that "it may be counted an important sin of omission that the administrative officials and the civil service commission, either separately or together, fail in such large measure in bringing about . . . transfers between different organization units." With few exceptions transfers become necessary, I believe, because the employee does not fit into his job. Civil service commissions, however, as the committee itself states in the third paragraph of the report, have developed effective tests. Consequently in the public service transfers need be made only infrequently to correct mistakes in selection. Yet the committee regards the great success which has been attained in this respect as "an important sin of omission."

Again at the bottom of page six of the typewritten report the committee complains that "the distribution of authority among the legislative body with its salary determining powers, the executive with the appointing power, the administrative staff, and the civil service commission greatly complicates uniform and just administration of personnel policy." Yet the committee itself in its recommendations sticks to this selfsame distribution. It leaves the purse strings in the hands of the legislative body, where they have always been. It leaves to the executive the appointing power. It leaves in the hands of administrative officers the direction of the work of employees

and "the original preparation of efficiency ratings and the like." And finally it specifically recommends that the civil service commission be required to exercise numerous functions. It even adds a fifth agency, the proposed civil service personnel committees.

As a final example of faulty interpretation of facts, in a footnote on page three of the typewritten report statistics are given showing the committee's apparent disapproval of the high labor turnover in certain jurisdictions. This is surprising in view of the fact that both civil service administrators and the thinking public are accustomed to regard the turnover in the public service as being too low. How many large commercial concerns can show as low a turnover as the 10, 16.4, 36, and 40 per cent given for the Washington service from 1915 to 1919 or can equal the Minneapolis record from 1917 to 1920 of a total turnover of 124 per cent for four years?

SERIOUS OMISSIONS

Once more I am willing for present purposes to let pass both the correctness of the alleged facts and their interpretation. But how searching is the analysis of conditions as made by the committee? To me it seems superficial rather than fundamental. In the first place, I look in vain for any distinction among cities of different size. Warren, Ohio, with its annual budget of \$360 a year and only a part time *ex-officio* employee, is put in the same category with Philadelphia, which has an annual budget of \$70,815 and thirty-three full time and three part time employees. In the second place, I look in vain for any distinction as to those matters which could be changed by administrative action and those which require legislative action. Most cities, as is pointed out later, have little

to hope for and that only at some uncertain time in the future if they must go to the state legislature, while administrative corrections are always possible. In the third place, I look in vain for any resolution of the complex personnel problem into its component elements in order that each may be attacked separately and therefore more effectively. It seems to me that any report which omits fundamental things of this kind fails to get at the heart of the matter.

For the third and last time, however, I am willing—albeit with increasing reluctance—to let pass both the correctness and the interpretation of the facts and the manner in which the attack is made upon the whole problem. But what about the effectiveness of the remedies the committee recommends? These concern themselves with three things—the central personnel agency, appropriations for its work, and civil service personnel committees. As to personnel committees, I am heartily in favor of them and believe that only good can result from their establishment. I agree with the committee that they should "advise and co-operate . . . in the determination and development of employment and administrative policy." This leaves the whole problem of actual administration to be handled by the commission itself.

THE ONE MAN COMMISSION

Much may be said in favor of the one man commission; less in favor of the selection of the commissioner by competitive examination. This, however, is almost entirely an academic question as far as present practise is concerned. We have an existing body of laws; these laws do not provide for one man commissioners chosen by competitive examination; with few exceptions they can be changed only with the greatest difficulty; and when

any city goes to the legislature asking for new legislation, it is altogether likely to ask for something else rather than for a one man civil service commission. Can you see the Tammany cohorts, for example, taking the midnight train to Albany to ask upstate legislators to give them a one man civil service commission? Or can you imagine the citizens of Chicago taking the train for Springfield to urge upon a legislature and governor known to be unfriendly to the merit system that they alter in this important respect a civil service law which has stood on the statute books practically unchanged since 1895? If the committee is aiming at better conditions a generation hence, this recommendation may be discussed on its merits; if it is looking to the general betterment of conditions now or in one, two, or five years, this recommendation need not even be considered.

APPROPRIATIONS

As to appropriations, the committee proposes "simply as a basis of discussion" that appropriations of approximately 1 per cent of the total pay-roll "might well" be provided for the operations of the municipal civil service commissioner it asks for. There are all sorts of objections to this proposal, if it is a proposal (in the same paragraph the committee seems to ask for a very different basis). First, by adding to the list of mandatory appropriations, it is subversive of the doctrines enunciated and accepted by our budget friends. Second, it would have a bad influence on civil service administrators themselves; the best administration and the most rapid advances have been made where the civil service officers have been compelled each year or each biennium to justify their work to the appropriating body and to prove that they need and can use

effectively the funds they request. Third, despite the committee's belief to the contrary, there is no "inherent connection between the amount expended on the pay-roll and the amount appropriated for the use of the civil service commission." The commissions of the state of New Jersey and Los Angeles county, for example, are universally regarded as among the best and most economically administered in this country; nevertheless the appropriations in New Jersey are approximately one-third of 1 per cent of the pay-roll and in Los Angeles county, with its much smaller service, slightly more than five-sixths of 1 per cent of the pay-roll. Fourth, such a mandatory provision would entail a wanton waste of the taxpayers' money in most of the large jurisdictions. In New Jersey, for instance, it would mean increasing the commission's appropriation from about \$100,000 to about \$300,000 a year and in Philadelphia from \$70,000 to approximately \$310,000 a year. I am convinced from my personal observation of the work of these commissions that both could make good use of somewhat larger appropriations; but I can see no justification for expending for personnel purposes any such sum as 1 per cent of the pay-roll.

To me the conclusion is unescapable that the committee's report gets us just exactly nowhere. Assumptions and assertions are substituted for solid facts to such an extent as to vitiate its conclusions. Added to this is an interpretation of many of the facts which I must regard as faulty. Then the failure to analyze the problem into its constituent elements leads me to doubt the application of interpretations based upon facts which I question. Finally, I find recommendations, based upon these doubtful facts, this loose reasoning, and this super-

ficial analysis, which certainly give no civil service administrator and no interested citizen any immediate means of improving conditions and which require securing from the state legislature sanction for what may prove, after all, to be a mere will-o'-the-wisp.

to expect many of the cities which now nominally have independent civil service systems to provide the funds necessary for their effective functioning. The following budget is the minimum I can conceive for the effective operation of a civil service system in any American city:

	<i>Low</i>	<i>Medium</i>	<i>Liberal</i>
Salaries:			
Commissioners (unpaid).....
Chief examiner and secretary.....	\$3,000	\$3,600	\$4,200
Assistant chief examiner.....	1,800	2,400	3,000
Chief clerk.....	1,200	1,500	1,800
Stenographer-clerk.....	900	1,080	1,200
Temporary help.....	300	300	300
Total salaries.....	\$7,200	\$8,880	\$10,500
Other expenses (printing, stationery, office equipment, telephone, postage, advertising, etc.).....	1,500	2,000	2,500
Total.....	\$8,700	\$10,880	\$13,000

A CONSTRUCTIVE PROGRAM

Is it possible to substitute for the committee's proposals something practicable, something that may be expected to aid both to-day and to-morrow in improving civil service administration in American cities? I think so most decidedly. Being the temerarious sort of person that I am, I am willing to describe (though necessarily only in outline form) the sort of thing which, whatever its faults and imperfections, will, I feel confident, give us something for our immediate needs and lead us toward—not away from—the promised land.

Nothing could be more futile, it seems to me, than the attempt being made in perhaps a hundred American cities to operate a civil service system practically without money by means of unpaid or low paid commissioners and part time or ex-officio employees. Central personnel administration may not safely be left to the inexpert dabbler. To me it seems equally futile

As a matter of fact, I know of no city or other political subdivision which, with an expenditure of as little as \$10,000, has a civil service system operating with any high degree of effectiveness. I have come to the reluctant conclusion that unless annual funds of about \$10,000 a year can be found, it is rarely worth while to establish an independent civil service commission in any jurisdiction.

What, then, is the answer for these smaller cities? I see two possibilities. One is to leave them to their own devices in preference to giving them the form of a civil service system without its substance. The second possibility, which I much prefer, is that now in effect in Ohio for counties, in Maryland for municipalities and court employees, in New York for counties and villages, in Massachusetts for cities, and in New Jersey for counties, cities, villages, school districts, and other political subdivisions. In these states the state civil service commission acts or may act for these local subdivisions.

In New Jersey local subdivisions adopt the provisions of the civil service law by referendum vote and the state commission automatically becomes their agent. This has the triple advantage of not violating any principle of home rule, of giving high grade central personnel service, and of keeping the cost within reasonable bounds.

So much for the "small" cities with a population of less than 100,000 to 250,000. For the larger cities, if it is assumed that the commission is given the powers it needs to act effectively as a central personnel agency (including the right to check and certify pay-rolls before payment of salaries is made) and that the commission has a reasonable appropriation, an attack can be made on the exceedingly complex technical problems involved in central employment management in the public service. To me this whole problem is so large and, when considered in its entirety, so baffling that I find it essential to break it up in some such fashion as this:

1. *Classification of Positions.*—The grouping of positions on the basis of duties so that those substantially alike can be given common treatment is prerequisite to any effective central control of employment matters. In any jurisdiction without a duties classification, the first step is to get it. If a classification is in effect, it is still important to see that it is a good one and currently maintained.

2. *Compensation of Employees.*—With a duties classification it follows as day follows night that the compensation can and should be related to the duties performed. Such factors as the efficiency with which the employee does his work cannot be wholly disregarded but the duties become the main thing. As a rule a good compensation plan requires that there be minimum, maximum, and intermediate rates, that

there be some plan by which employees entering at the minimum be advanced to the intermediate and maximum rates as they become more useful through the experience they gain, and that from time to time adjustments of salary levels be made in accordance with changing economic and employment conditions.

3. *Selection of Employees for Entrance and Promotion.*—With a duties classification searching tests to determine whether applicants have the qualifications essential for the performance of the duties of the positions they seek can be devised. The central personnel agency should keep abreast of developments in selective processes and should maintain a happy medium, neither using tests too searching and therefore too expensive, nor relying upon simple tests administratively easy to give but of little value in foretelling the worth of those tested.

4. *Certification and Appointment of Qualified Persons.*—When vacant positions are to be filled, some formal procedure is necessary to get on the job and the pay-roll those persons who have been tested and found most capable of performing the duties of the vacant positions. This procedure should entail no unnecessary work on administrative officers, should involve no considerable loss of time in filling positions, and should make it impossible for individualistic appointing authorities to evade reasonable provisions.

5. *Regulation of Employees in the Service.*—The awkward term "regulation" is meant to include whatever functions the central personnel agency exercises with regard to employees in the service, such as training, efficiency ratings, transfers, and special and annual leaves. Neither public nor private personnel managers have been able to work out any consistently satisfactory basis for handling these

matters. Certainly some of the most perplexing problems, both of technique and relations, are involved in the proper regulation of employees in the service.

6. *Separations from the Service.* In many respects the matter of getting employees off the pay-roll is as important as getting them on. Resignation as a rule do not present complex problems. Determining the order of lay off when forces are to be reduced and actually bringing about the reduction, however, is much more difficult. Working out, establishing, and maintaining a sound retirement plan is also far from easy. Bringing about forcible removals often degenerates into arbitrary "firing." Getting current and reliable reports as to separations and analyzing causes are perplexing matters.

The above outline indicates the manner in which I regard it as probable that progress will be made in employment management in the public service. The analysis as given can be made finer at will. Just as it stands, however, I believe it will enable any reasonably intelligent and well informed person to study the effectiveness with which any city civil service commission operates; to spot with a considerable degree of accuracy the respects in which it is doing its work well and in which it is falling short of reasonable achievements; and to bestow praise where praise is deserved, to place blame where legislative or administrative officers are culpable, and to help in working out the solution when remedial action is found necessary.

SPOILS SYSTEM STILL AN ACTIVE FACTOR

BY WILLIAM DUDLEY FOULKE

President, National Civil Service Reform League; Vice-president, National Municipal League

THE thesis of the civil service committee of the National Municipal League is essentially this: That after forty years' experimentation of civil service commissions, as a checking agency for preventing the use of offices as political spoils, the time has now come for *changing the emphasis* from negative to positive functions and completing the program for the promotion of efficiency.—"The spoils-curbing aspect of employment," says the report, should be made "subordinate and incidental."—It were indeed devoutly to be wished that the time for changing this emphasis had really arrived, that spoils were so far eliminated that we could afford to relax our efforts to resist them! But where the

spoils system is still rampant there is small hope of attaining effective or economical government. It is only where that system has been measurably eliminated that we can afford to change our policy. The committee's report emphasizes the lesser evils of inefficiency and extravagance and largely ignores the greater.

SPOILS SYSTEM WORSE THAN BAD ADMINISTRATION

For the spoils system is infinitely more ruinous than mere bad administration. It affects not only the civil service, but the entire electorate, and our whole political life. Where parties struggle for patronage and not for principle, nor to secure good men;

where the millions of offices, national, state and municipal, are the "bribery chest" (as Roosevelt calls it), out of which to pay the baser political services, wholesome democratic government cannot exist. We might have a bad civil service and pay twice as much for it as we ought to, and still survive and prosper, but we cannot live as a democracy if political spoils are the animating stimulus of our governmental activities. There is little use even to talk about the effectiveness of the service in those places where the spoils system prevails. The committee's report insists that government is retrograding as an employer and that the service stands lower now than during or since the war. Wherever the statement is true it is because the spoils system has encroached upon the classified civil service or has infected it. Take the federal service, for example.

It was only last year that a concerted attack was made upon the merit system by those high in authority. The attorney general sought to discredit it before a congressional committee. Mr. Bartlett, former civil service commissioner and afterwards first assistant postmaster general, endeavored to start a propaganda to remove all key positions, as they were called, from the classified service. The president himself arbitrarily removed employes from the bureau of engraving and printing without notice, in plain violation of law, and apparently for political reasons. A politician was appointed as assistant secretary of the treasury, who endeavored to "Hardingize" the service and to reorganize the customs service along political lines. Open attacks on the system were made by political leaders in congress, insisting that the mere fact that a man was a Democrat was good reason for his removal and the substitution of a Republican in his place. The depart-

ments in Washington were threatened with a political upheaval, while in the important positions of presidential postmaster the rule of three, instituted by President Harding, was so manipulated as to lead to the appointment of a Republican recommended by a Republican congressman or the Republican party machine in nearly every case.

With regard to these places, the spoils system is as rampant as ever. It merely masquerades under the forms of civil service reform and competitive examinations. The most fruitful illustration of the degrading influence of that system appears to-day in the general corruption which infects the prohibition enforcement bureau, which by the Volstead law was made congressional patronage. While these things are going on we cannot think of making the "spoils-curbng aspect of employment" as the committee recommends "subordinate and incidental." It must still remain the principal object of our activities.

I have used the federal service as an illustration because it is more widely known throughout the country than any other; but there is no reason to believe that any better condition prevails in the average services of the states or municipalities. Indeed, in some cases it is known to be even worse. There have been times, for instance, in Chicago, when the civil service commission itself has been the agency through which the service of that city has been largely treated as political spoils. Numerous instances might be cited of the invasion of the spoils system into the state and municipal commissions throughout the country. This exists to-day, or has occurred within recent years, in the state service of Illinois, Colorado and Ohio, in the municipal service of Milwaukee, Detroit and many other cities. The condition in Philadelphia before the pres-

ent administration came into power was deplorable. The cases of Los Angeles, Wisconsin and New Jersey, mentioned in the report as places where the spoils element has been mainly eradicated, are still exceptional. Indeed, in Wisconsin it is far from having been eradicated. So long as this condition exists the civil service commissions must still remain "the sentry at the gate," to prevent the spoils intruders from taking possession.

CAN WE CHANGE THE EMPHASIS?

The report speaks of the great advantages of co-operation. Where there is a common purpose co-operation is highly desirable. But where the purpose is different, where the department head wants to run his office for the benefit of the political machine or to raise his own political prospects, and the commission is trying to preserve it for the sole use of the public, there co-operation would be much like co-operation between the policeman and the thief. It is only where spoils is extinct that full co-operation will exist.

As to the legislature, the case is even stronger, for it is generally the members of the legislature who control appointments as party and personal spoils. The report says that the lack of co-operation with the legislature is not inherent in the character and purpose of the commission. On the contrary, if the legislators want the spoils, as they do, and the commission tries to restrict them, it *is* inherent.

FINE THINGS IN COMMITTEE'S REPORT

There are many phases of the committee's report with which I heartily agree. First, I think it highly desirable that the general responsibility for the personnel should be placed in the hands of the civil service commission, that this body should have closer

relations with the administrative departments and should constitute, as the report insists, a central employment agency. The committee are quite right in their insistence that there should not be two bodies, one like the commission, charged with the mere recruiting of the service, and the second like a bureau of efficiency, charged with the general oversight of the personnel, of transfers, promotions, demotions, etc., after admission. Secondly, I agree that the appointments of commissioners ought to be made by the executive head of the government, not as at present mainly with reference to political and personal acceptability, but with special reference to experience, which is now so largely disregarded. Thirdly, I agree with many of the details of the report, for instance, that the probationary period should be utilized far more than it is at present, that committees of employes should be appointed to represent their views and air their grievances, that adequate appropriations be supplied, etc., etc. The thing in which I disagree entirely with the committee is that we ought to stress any of these things as of greater importance than the prime object of our whole system, the removal of that corruption which is begotten by the spoils of office.

NEW PLAN INEFFECTIVE

As to the new policy for the reconstitution of civil service commissions, it seems to me that the scheme proposed would be found utterly ineffective. The first item is that there shall be a single civil service commissioner in place of the greater number now usual. No general panacea is to be found in the mere question of number. Whether the work can best be done by one or three would depend upon surrounding conditions and particularly upon the question who are the

three or who is the one. I should say in general that so far as the commission's work is administrative, it can best be done by one commissioner, but so far as it is legislative or policy determining it can best be done by three commissioners. In small places one commissioner is undoubtedly preferable. In large cities and in states three commissioners will more generally be found desirable. Indeed, if a single head for the commission (which is an examining body) is so much better than three, why did the report advocate a board of three persons to conduct the examination for the appointment of the commission? One expert head of a commission appointed by competitive examination, and two unpaid commissioners appointed by the chief executive might work very well. I think myself that one man, the president of the commission, appointed by the head of the government, with two other members appointed by promotion or competitive examination and acting respectively as secretary and chief examiner would furnish an efficient working body, in which the political activities of the political appointee, if injurious to the merit system, could be effectively checked by the two commissioners who receive their places under the competitive system. But I do not regard the mere question of number as of vital importance.

METHOD OF SELECTION NO IMPROVEMENT

The committee proposes that a commissioner should be selected as the result of a competitive examination given by a special board composed of three members, each experienced in the field of employment, one of whom must have been a commissioner, secretary or chief examiner of some civil service commission. One member of this examining board is to be appointed by

the chief executive of the government, the second by the local superintendent of schools, the third by the other two members, and as the result of the examination the three names highest on the list should be submitted to the chief executive that from these he should designate the civil service commissioner. This plan has all the evils of the present system of appointing commissioners by the chief executive and none of its advantages. If the mayor or governor is a spoilsman he can get his henchmen into office almost as easily in this way as he can to-day, while he would no longer be held responsible for a bad appointment as if made directly by himself. In the first place, if he had the power of choosing, as the report says, "one and one-half out of the three examiners," the chances are that he would make that power quite effective as against the mere superintendent of schools in his own administration. As a check upon a spoils appointment by an intriguing or political governor or mayor, this protection will be found wholly illusory. In cases where there should be actual disagreement between the school superintendent and the chief executive the manipulation in selecting the third member of the examining board does not offer a prospect of good results. But the worst feature of all is that which allows the executive, after the examination is held and the eligible list prepared, his choice among the three highest eligibles. No one familiar with the manipulation of this "rule of three" in postmasterships can resist the conclusion that the chief executive, if he desired it, would get, if not just the politician he wanted, at least one who would be sufficiently subservient to his designs to destroy the commission's usefulness as an employing agency. I do not believe that any panacea can be found which can always insure the

appointment of none but good commissioners. There will inevitably be some danger of the appointment of an undesirable. Nothing but an aroused public sentiment which will constrain the chief executive to select the best will afford adequate protection. My impression is that it is better to let the chief executive appoint, as in New York, three commissioners for long, overlapping terms, than to attempt by any artificial system like that proposed to restrict his authority and to substitute that of a temporary examining board whose qualifications are untried and unknown, and where the chances of an improper selection will be greater than they are to-day. It seems especially necessary, if any such plan as that proposed should be adopted, that the choice should not be made from among the highest three eligibles, but that the top man on the list should be appointed. If we are going to try the examination system for appointment, let us depend on that system alone and not allow any political element to interfere with its results. If there is to be any discretion at all, let the executive have a free hand and hold him responsible. This is no place for a system of checks and balances.

SELECTION BY COMPETITION NO NOVELTY

The plan of selecting a single commissioner by competitive methods is not a new one. It has been proposed and adopted as one of three alternative plans by the Council of the National Civil Service Reform League as early as July 27, 1916, after a long series of discussions by subordinate committees, as well as in the council itself; and I submit that the scheme which we then proposed, which seems not to have attracted the attention of the present committee, offered a very much better scheme for selecting a good commission

by competitive methods than the plan they propose. In our draft of a model civil service law for states and municipalities, section 6 provided for the appointment of a single state commissioner by competitive methods. The governor was to appoint on an examining board (a) a member, secretary or chief examiner of some civil service commission; (b) a person engaged continuously for two or more years in selecting employes for positions involving professional or technical skill; (c) a person who had served for two or more years as judge of a court of record. These three persons were to hold an examination and prepare an eligible list and the governor must then appoint the person standing highest as commissioner.

Now this is much better than the plan proposed by this committee. In the first place, it does not take away from the governor the responsibility for the appointment of this examining board nor for the commissioner who may be chosen as the result of this examination. The governor does not divide this responsibility with the superintendent of schools or anybody else, although he is limited to choosing certain persons of experience, as he ought to be. In the next place, it provides that the highest man on the list must be appointed so there is no chance of political manipulation among three certified for appointment. But the National Civil Service Reform League realized that there was grave doubt whether a commission of one man thus appointed would be as successful in its operation as a commission of three, and they therefore inserted in the model civil service law two alternative propositions. In the first of these the commission was to consist of three persons appointed by the governor for overlapping terms of six years each, as at present in New York. By the

second alternative, the state commission was to consist of three persons, one appointed by the governor and the other two taken from the classified service and chosen by the method above described. The National Civil Service Reform League did not express its preference between these alternatives, believing that local conditions would better determine which was preferable. As to local municipal commissions, our League presented two alternatives in section 7 of the proposed model law, the first with one commissioner, the second with three. The single commissioner was the man standing highest on an eligible list prepared by the state civil commission. This would appear to be the best repository of the appointing power for municipal commissions. By the second alternative, applying only to municipalities having a population of 250,000 or more, the commission was to consist of three persons, one appointed by the chief executive of the municipality, the other two from the classified service, being those standing highest upon eligible lists prepared by the state civil service commission. In municipalities of less than 250,000, and in all counties, school districts, and other subdivisions of the state, the commission was to be composed of one person in the classified service, the highest upon the eligible list of the state civil service commission. I submit that any one of these propositions affords a far better solution of this problem than the suggestions of the present committee. This model civil service law was published and widely distributed at the time, and I cannot see why its suggestions received no consideration in the present committee's report.

THE MODEL CHARTER

Not only has the National Civil Service Reform League prepared a

rather elaborate program, but the National Municipal League itself in its model city charter, provided in 1915, a method for the selection of civil service commissioners. The civil service board, as it was called, was to be appointed by the council, and was to consist of three members, with overlapping terms of six years each. The members of the committee who framed this model charter were men of considerable eminence. A. Lawrence Lowell, president, and William Bennett Monroe, professor in Harvard University; Professors John A. Fairlie of the University of Illinois, Herman G. James of the University of Texas and A. R. Hatton, then of the Western Reserve; Richard S. Childs, Mayo Fesler, Clinton Rogers Woodruff, Robert Treat Paine, N. D. Baker, Delos F. Wilcox, were all on that committee. If the present report should be ratified, the Municipal League would be saying, in effect, "We were all wrong when we proposed any such civil service scheme as that, and advised the cities of the country to adopt it." Has the experience of the past few years really been such as to compel the National Municipal League to reverse its conclusion and to persuade the world by the failure of its counsels in the past to rely upon its counsels of to-day? To me it does not seem that there is sufficient reason for this reversal of policy. The principal evils in the civil service commissions were known at that time. They were due then, as now, to the power of the spoils system, and to propose such a remedy as that embodied in the report of the committee at this time would serve largely to discredit the League as a competent advisor in municipal affairs. Let us not be too much discouraged because conditions in this city or in that are not what we would have them. We are in the midst of a period of general reaction and dis-

organization as the result of the war. Civil service reformers have not fared nearly as badly as many others. It is my conviction that if the energy and the enormous expenditure of time and labor in preparing and discussing these

new schemes had been devoted to a wholesome propaganda to create a public spirit such as would compel executives to appoint good commissioners, we would be further ahead than we are to-day.

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